AN ACT relating to: state finances and appropriations, constituting the executive budget act of the 2003 legislature.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill is the “executive budget bill” under section 16.47 (1) of the statutes. It contains the governor’s recommendations for appropriations for the 2003–2005 fiscal biennium.

The bill repeals and recreates the appropriation schedule in chapter 20 of the statutes, thereby setting the appropriation levels for the 2003–2005 fiscal biennium. The descriptions that follow relate to the most significant changes in the law that are proposed in the bill. In most cases, changes in the amounts of existing spending authority and changes in the amounts of bonding authority under existing bonding programs are not discussed.

For additional information concerning this bill, see the Department of Administration’s publication Budget in Brief and the executive budget books, the Legislative Fiscal Bureau’s summary document, and the Legislative Reference Bureau’s drafting files, which contain separate drafts on each policy item. In most cases, the drafts contain a more detailed analysis than is printed with this bill.

GUIDE TO THE BILL

As is the case for all other bills, the sections of the budget bill that affect statutes are organized in ascending numerical order of the statutes affected.

Treatments of prior session laws (styled “laws of [year], chapter ....” from 1848 to 1981, and “[year] Wisconsin Act ....” beginning with 1983) are displayed next by year of original enactment and by act number.
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The remaining sections of the budget bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four-digit section number indicate the type of provision:

- 91XX Nonstatutory provisions.
- 92XX Appropriation changes.
- 93XX Initial applicability.
- 94XX Effective dates.

The remaining two digits indicate the state agency to which the provision relates:

- XX01 Administration.
- XX02 Adolescent pregnancy prevention and pregnancy services board.
- XX03 Aging and long-term care board.
- XX04 Agriculture, trade and consumer protection.
- XX05 Arts board.
- XX06 Building commission.
- XX07 Child abuse and neglect prevention board.
- XX08 Circuit courts.
- XX09 Commerce.
- XX10 Corrections.
- XX11 Court of appeals.
- XX12 District attorneys.
- XX13 Educational communications board.
- XX14 Elections board.
- XX15 Electronic government.
- XX16 Employee trust funds.
- XX17 Employment relations commission.
- XX18 Employment relations department.
- XX19 Ethics board.
- XX20 Financial institutions.
- XX21 Fox River Navigational System Authority.
- XX22 Governor.
- XX23 Health and Educational Facilities Authority.
- XX24 Health and family services.
- XX25 Higher educational aids board.
- XX26 Historical society.
- XX27 Housing and Economic Development Authority.
- XX28 Insurance.
- XX29 Investment board.
- XX30 Joint committee on finance.
- XX31 Judicial commission.
- XX32 Justice.
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XX33  Legislature.
XX34  Lieutenant governor.
XX35  Lower Wisconsin state riverway board.
XX36  Medical College of Wisconsin.
XX37  Military affairs.
XX38  Natural resources.
XX39  Personnel commission.
XX40  Public defender board.
XX41  Public instruction.
XX42  Public lands, board of commissioners of.
XX43  Public service commission.
XX44  Regulation and licensing.
XX45  Revenue.
XX46  Secretary of state.
XX47  State fair park board.
XX48  Supreme Court.
XX49  Technical college system.
XX50  Technology for educational achievement in Wisconsin board.
XX51  Tobacco control board.
XX52  Tourism.
XX53  Transportation.
XX54  Treasurer.
XX55  University of Wisconsin Hospitals and Clinics Authority.
XX56  University of Wisconsin Hospitals and Clinics Board.
XX57  University of Wisconsin System.
XX58  Veterans affairs.
XX59  Workforce development.
XX60  Other.

For example, for general nonstatutory provisions relating to the historical society, see SECTION 9126. For any agency that is not assigned a two-digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two-digit identification number or any provision that does not relate to the functions of a particular agency, see number “60” (other) within each type of provision.

In order to facilitate amendment drafting and the enrolling process, separate section numbers and headings appear for each type of provision and for each state agency, even if there are no provisions included in that section number and heading. Section numbers and headings for which there are no provisions will be deleted in enrolling and will not appear in the published act.

Following is a list of the most commonly used acronyms appearing in the analysis.

DATCP . . . Department of Agriculture, Trade and Consumer Protection
DEG . . . . . . Department of Electronic Government
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DER ...... Department of Employment Relations
DETF ...... Department of Employee Trust Funds
DFI ...... Department of Financial Institutions
DHFS .... Department of Health and Family Services
DMA ...... Department of Military Affairs
DNR ...... Department of Natural Resources
DOA ...... Department of Administration
DOC ...... Department of Corrections
DOJ ...... Department of Justice
DOR ...... Department of Revenue
DOT ...... Department of Transportation
DPI ...... Department of Public Instruction
DRL ...... Department of Regulation and Licensing
DVA ...... Department of Veterans Affairs
DWD ...... Department of Workforce Development
JCF ...... Joint Committee on Finance
OCI ...... Office of the Commissioner of Insurance
PSC ...... Public Service Commission
UW ...... University of Wisconsin
WHEDA ...... Wisconsin Housing and Economic Development Authority
WHEFA ...... Wisconsin Health and Educational Facilities Authority

AGRICULTURE

Under current law, DATCP administers the Soil and Water Resource Management Program, which provides funding for land and water resource management projects and for the construction of animal waste management systems. This bill increases the state general obligation bonding authority for the program by $7,000,000.

Under current law, beginning on February 1, 2004, dog and cat breeders, and persons who operate pet stores, kennels, and animal shelters must have licenses from DATCP. The law requires DATCP to specify requirements for humane care to be provided by these persons. This bill repeals the law regulating dog and cat breeders and operators of pet stores, kennels, and animal shelters.

Current law requires a person who is licensed to manufacture or distribute fertilizer in Wisconsin to pay several fees and surcharges, including a basic fee of 30 cents per ton of fertilizer sold or distributed. This bill increases the basic fee to 45 cents per ton. Current law requires a person who is licensed to manufacture or distribute animal feed to pay a feed inspection fee of 23 cents per ton. This bill increases the feed inspection fee to 30 cents per ton.

Current law requires a person who is licensed to manufacture or label pesticides to pay a number of fees and surcharges when the person applies for a license. The license year begins on January 1. The fees and surcharges are based on sales during the 12 months ending on September 30 of the year preceding the year for which a license is sought. Under this bill, the fees and surcharges paid by a pesticide licensee are based on sales during the 12-month period that ends on September 30 of the license year. Fees are initially based on estimated sales. At the
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end of the license year, the person pays any balance due based on actual sales or may request a refund for any overpayment.

Under current law, grants to counties for programs to collect waste farm chemicals and farm chemical containers are funded from the agrichemical management fund. This bill changes the source of funding for the grants to the recycling fund.

Currently, a person who is licensed to manufacture or distribute fertilizer must pay an agricultural chemical cleanup surcharge of 38 cents per ton of fertilizer sold or distributed, unless DATCP establishes a lower surcharge by rule. This bill authorizes DATCP to increase the agricultural chemical cleanup surcharge to up to 88 cents per ton.

Under the Agricultural Chemical Cleanup Program, DATCP pays a portion of the costs of cleaning up spills of agricultural chemicals. This bill reduces the reimbursement rate under the program from 80% to 75% of eligible costs.

COMMERCIAL AND ECONOMIC DEVELOPMENT

BUSINESS ORGANIZATIONS AND FINANCIAL INSTITUTIONS

Under current law, any limited liability company that is organized in another state and that may operate in Wisconsin must file an annual report containing specified information with DFI. This bill requires Wisconsin limited liability companies to file a similar annual report and establishes a procedure by which DFI may administratively dissolve a Wisconsin limited liability company for violating this requirement.

Under current law, savings banks and savings and loan associations are regulated by the Division of Savings Institutions in DFI. This bill eliminates the Division of Savings Institutions and, instead, provides that savings banks and savings and loan associations are regulated by the Division of Banking in DFI.

Under current law, the Office of Credit Unions must conduct an annual examination of each credit union unless the office accepts an audit report of the condition of the credit union that satisfies certain conditions. This bill requires the office to conduct an examination of each credit union at least once every 18 months unless the office accepts an audit report.

ECONOMIC DEVELOPMENT

Currently, DOA must develop a state housing strategy, administer several grant programs that provide different types of housing assistance, and administer a program governing the use of surplus, state–owned real estate. This bill transfers these responsibilities to the Department of Commerce, except that DOA must still administer the weatherization assistance for low–income persons program and the low–income energy assistance program.

Under current law, the Department of Commerce awards grants to eligible technology–based nonprofit organizations to provide support for manufacturing extension centers. This bill repeals this grant program. Current law also authorizes similar grants to be awarded from the Wisconsin development fund. This bill repeals this authorization. This bill also reallocates $500,000 in Indian gaming receipts currently used to fund manufacturing extension center grants to the conservation fund.
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Currently, the secretaries of commerce and administration, or their designees, serve on the Wisconsin Housing and Economic Development Authority, along with other designated members. This bill adds the secretary of agriculture, trade and consumer protection, or his or her designee, to the authority.

Currently, under the Forestry Education Grant Program, the Department of Commerce awards grants to nonprofit organizations to develop forestry educational programs and materials for use in public schools. This bill eliminates this program.

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

Under current law, DOC and DHFS operate the Drug Abuse Correctional Center (DACC) program in Winnebago, which provides substance abuse treatment for prison inmates transferred there. Under this bill, if DOC determines that a person has successfully completed the DACC program, the person must be released to parole or extended supervision, regardless of how much of his or her sentence the person has served. Inmates convicted of violent crimes or certain offenses against children are not eligible for this earned release program. Inmates who are sentenced under the “Truth in Sentencing” law are eligible only if the court authorizes their participation.

DOC currently operates a boot camp for adults who are under 30 years old and who have a substance abuse problem. Each participant must perform strenuous physical exercise and manual labor and participate in counseling, substance abuse treatment, and military drill and ceremony programs. A person who successfully completes the boot camp program is released to parole or extended supervision, regardless of how much of his or her sentence the person has served. This bill specifies that a person is eligible for boot camp if he or she is under 40 years old at the start of the program. The bill also specifies that the strenuous exercise for participants who begin the boot camp program after turning 30 years old must be age appropriate.

Under current law, DOC operates the Racine Youthful Offender Correctional Facility, where it may confine up to 400 persons who are from 15 to 21 years old and who are sentenced to state prison. This bill authorizes DOC to place up to 450 persons at that facility and increases the upper age limit for prisoners there to 24.

Under current law, until July 1, 2003, DOC may operate the juvenile correctional facility at Prairie du Chien as a state prison for nonviolent offenders who are not more than 21 years of age. This bill permanently converts that facility into an adult prison and lifts all restrictions regarding the age and type of prisoners who may be confined there.

Current law provides that, with certain exceptions, DOC must charge a fee to each person on probation, parole, or extended supervision to cover some or all of the cost of supervising the person. Current law authorizes DOC to set fees for persons subject to administrative or minimum supervision separately from its setting of fees for persons subject to more intensive supervision. This bill eliminates DOC’s authority to base the fee on the level of supervision.

Under current law, DOC may contract with a private entity to confine a Wisconsin prisoner in a private prison in another state. Current law further provides
that a person confined under such a contract is subject to the laws of the state in which the prison is located that relate to the confinement of persons in that prison. Under this bill, the contract may provide that certain laws of the state in which the person is confined do not apply to that person.

**JUVENILE CORRECTIONAL SYSTEM**

Under current law relating to community youth and family aids, generally referred to as youth aids, DOC must allocate various state and federal moneys to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. DOC charges counties for the costs of services provided by DOC according to per person daily cost assessments specified in the statutes. This bill increases most of these assessments.

Under current law, subject to certain exceptions, case management services are reimbursable under Medical Assistance (MA) only if provided to an MA beneficiary who receives case management services from a certified case management provider in a county, city, village, or town that elects to make those services available. This bill permits DOC to elect to provide case management services to an MA beneficiary who has been adjudged delinquent and placed under the supervision of DOC. Under the bill, DOC is reimbursed for the amount of allowable charges for those services under MA that is provided by the federal government and must pay the amount of allowable charges for those services under MA that is not provided by the federal government.

Under current law, DOC is required to provide a Juvenile Boot Camp Program for juveniles who have been adjudged delinquent and placed under the supervision of DOC. This bill eliminates that program.

**COURTS AND DISTRICT ATTORNEYS**

The bill increases the circuit court support services fees as follows: for cases other than small or large claim cases, from $52 to $67.60; for large claim cases, from $130 to $169; and for small claim cases, from $39 to $50.70.

Currently, in all criminal proceedings and in a limited number of civil proceedings, a circuit court must provide an interpreter for an indigent party or witness who has limited English proficiency. This bill requires the court, in all criminal and civil proceedings, to provide an interpreter for a party or witness who has limited English proficiency, regardless of indigence.

Under current law, the Milwaukee County clerk of circuit court must collect a $2 special prosecution clerks fee when most complaints initiating civil actions are filed. This bill increases this fee to $3.50.

Under current law, a court imposes a crime laboratories and drug law enforcement assessment when it sentences a person, places a person on probation, or, in most cases, imposes a forfeiture. This bill increases the assessment from $5 to $7.

This bill increases the filing fees in court of appeals and supreme court appeals from $150 to $195.

Under current law, district attorneys and deputy and assistant district attorneys are state employees. DOA, through its State Prosecutors Office, provides personnel, budget, and other types of management assistance to district attorney
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offices. With respect to individual cases, however, district attorneys have near-total discretion in deciding what cases to pursue and how to prosecute them. In working on those cases, a district attorney may request assistance from prosecutors in other counties, who may then serve in the same capacity as the district attorney who requested their assistance.

This bill creates a State Prosecutors Board, which is attached to DOA. The board consists of eight district attorneys selected by the governor who must: 1) adopt advisory guidelines for district attorneys to use in determining when criminal cases should be prosecuted or diverted for nonprosecutorial programs; 2) issue rules regarding the temporary assignment of district attorneys, deputy district attorneys, and assistant district attorneys to other counties; 3) hire and assign prosecutors for temporary placement in district attorney offices throughout the state; and 4) supervise the State Prosecutors Office.

CRIMES

Current law requires the Sentencing Commission to collect and disseminate information about sentencing practices in criminal cases and to develop advisory sentencing guidelines for felonies to promote public safety, to reflect changes in sentencing practices, and to preserve the integrity of the criminal justice and correctional systems. (As of the date of this bill's introduction, however, the Sentencing Commission has not adopted any sentencing guidelines.) When a court sentences a person who, on or after February 1, 2003, committed a felony, the court must consider any advisory sentencing guidelines that the Sentencing Commission develops for that offense. If the Sentencing Commission has not adopted guidelines, the court must consider any temporary advisory sentencing guidelines that were developed by the Criminal Penalties Study Committee (CPSC) for that offense. The court, however, is not required to make a sentencing decision that is consistent with applicable guidelines, and a defendant may not appeal a court's sentencing decision based on the court's decision to depart from a guideline.

Under this bill, by January 1, 2004, the Sentencing Commission must analyze whether the temporary sentencing guidelines adopted by the CPSC are adequately promoting public safety in a cost-effective manner, promoting consistency in sentencing practices, and preserving the integrity of the criminal justice and correctional systems. If the commission determines that the temporary guidelines are not adequately promoting these objectives, it must adopt mandatory sentencing guidelines for felonies and any other crimes for which a person may be sentenced to a state prison, other than those for which the penalty is life imprisonment. The mandatory sentencing guidelines for an offense must assign suggested ranges of punishment based upon the combination of offense and defendant characteristics in each case, but the range of punishment must be consistent with the penalty provided for that crime under current law.

If the commission adopts a mandatory sentencing guideline for a crime, a court, in sentencing a person convicted of that crime, must impose a sentence of the kind and within the range described in the guideline unless the court finds that there is an aggravating or mitigating factor that warrants a different sentence. In addition,
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the prohibition on appeals based on a departure from an advisory guideline does not apply to a departure from a mandatory guideline.

In addition, this bill requires the Sentencing Commission to adopt advisory guidelines regarding the use of alternatives to incarceration. It also detaches the commission from DOA and attaches it to DOC.

Under current law, DOJ makes crime victim compensation awards to victims of certain crimes. In addition, when sentencing a person convicted of a crime, a judge may order the person to make restitution to the victim of the crime. If a person is ordered to make restitution to a victim of his or her crime, and the victim also received a crime victim compensation award for that crime, DOJ is entitled to be reimbursed from the restitution payments the amount it previously awarded to the crime victim.

This bill provides that restitution that is paid to DOJ as reimbursement for crime victim compensation awards must be used to fund other crime victim compensation awards. The bill also eliminates restrictions that prevent state funds from being used to pay certain parts of crime victim awards. Under this bill, either state or federal funding may be used to pay for any part of an award.

This bill appropriates funds derived from restitution paid in drug crime cases to DOJ for the purchase of drugs in investigating other drug crimes.

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Current law requires DPI, DOA, and the Legislative Fiscal Bureau to certify to JCF by May 15 of each year an estimate of the amount of general equalization aid needed, in combination with the amounts distributed to schools as categorical aids and the school levy tax credit, to fund two-thirds of statewide school costs (two-thirds funding). This bill eliminates two-thirds funding.

Current law requires DPI to develop a high school graduation examination. Beginning on September 1, 2005, a school board or charter school may not grant a pupil a high school diploma unless the pupil satisfies criteria set by the school board or charter school, including the pupil's score on the high school graduation examination. This bill eliminates the high school graduation examination requirement and the requirement that DPI develop a high school graduation examination.

The current state school aid formula is designed to equalize school district tax bases and thus minimize the differences among the abilities of school districts to raise revenue for educational programs. The formula establishes three guaranteed tax bases, known as guaranteed valuations, that apply to three different levels of expenditure. The primary guaranteed valuation applies to those costs that do not exceed the primary ceiling cost per pupil of $1,000. The secondary guaranteed valuation applies to per pupil costs that exceed the primary ceiling. The tertiary guaranteed valuation applies to per pupil costs that exceed the secondary ceiling. The percentage of a school district's state-aided costs at each level of expenditure is equal to the net guaranteed valuation (the difference between the applicable guaranteed valuation and the equalized value of taxable property in the school district) divided by the applicable guaranteed valuation.
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Under the school aid formula, the aid generated at the primary level is reduced by aid generated at the secondary and tertiary levels but each school district is guaranteed aid for its primary costs. This bill eliminates this guarantee of aid for primary costs for a school district whose secondary or tertiary equalized valuation exceeds its secondary or tertiary guaranteed valuation.

Under current law, annually the state pays to each private school participating in the Milwaukee Parental Choice Program (MPCP) the lesser of the following for each pupil attending the school under MPCP:

1. The private school's cost per pupil that is related to educational programming.
2. The sum of the amount paid per pupil under the MPCP in the previous school year plus the amount of revenue increase per pupil allowed under the school district revenue limits.

Under this bill, the state pays to each participating private school the lesser of the following:

1. The private school's cost per pupil that is related to educational programming.
2. The amount paid per pupil under the MPCP in the previous school year increased by the percentage change in the amount of general school aid over the previous school year.

Under current law, annually the state pays to each independent charter school (a charter school established by the city of Milwaukee, the University of Wisconsin–Milwaukee, the University of Wisconsin–Parkside, or the Milwaukee Area Technical College), for each pupil attending the charter school, the sum of the amount paid per pupil in the previous school year plus the amount of revenue increase per pupil allowed under the school district revenue limits.

Under this bill, annually the state pays to each independent charter school, for each pupil attending the school, the sum of the amount paid per pupil in the previous school year and the amount of increase in the per pupil payment under the MPCP. The amount paid per pupil may not be less than the amount paid per pupil in the previous school year.

Current law generally limits the increase in the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in a school year to the amount of revenue increase allowed per pupil in the previous school year increased by the percentage change in the consumer price index. School districts with revenues per pupil that are below their revenue ceiling are exempt from the revenue limits. This bill increases the revenue ceiling from $6,900 to $7,400 in the 2003–04 school year and to $7,800 in the 2004–05 school year.

This bill distributes a portion of general school aid from the transportation fund.

Currently, school district professional employees are required to be placed in a collective bargaining unit that is separate from the units of other school district employees. This bill eliminates this requirement.

This bill reduces the number of vocational education consultants that DPI must to employ from 11 to 5.5.
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Under current law, DPI pays each school district, each county children with disabilities education board (CCDEB), and each technical college district $100 for each pupil who completes a DPI-approved course in driver education. This bill provides that, if the amount appropriated is more than enough to provide $100 per pupil, DPI must distribute the balance to eligible school districts, CCDEBs, and technical college districts on a prorated basis.

This bill pays a portion of state aid to public library systems from the universal service fund.

HIGHER EDUCATION

Current law prohibits the Board of Regents (board) of the UW System from increasing resident undergraduate tuition beyond an amount sufficient to fund certain specified functions.

This bill prohibits the board from increasing resident undergraduate tuition for a student enrolled at UW-Madison or UW-Milwaukee by more than $350 a semester in the 2003-04 and the 2004-05 academic years and for a student enrolled at any other UW System institution by more than $250 a semester in the 2003-04 and the 2004-05 academic years. For example, if tuition for resident undergraduates at the UW-Madison in the 2002-03 academic year is $2,000 per semester, tuition in the 2003-04 academic year may not exceed $2,350 per semester.

Generally, current law allows a UW System student who has been a bona fide Wisconsin resident for the 12 months preceding the beginning of a semester or session for which the student registers to pay resident, as opposed to nonresident, tuition.

This bill allows an alien who is not a legal permanent resident of the United States to pay resident, as opposed to nonresident, tuition if: 1) he or she graduated from a Wisconsin high school or received a high school graduation equivalency from Wisconsin; 2) was continuously present in Wisconsin for at least one year following the first day of attending a Wisconsin high school; and 3) enrolls in a UW System institution and provides the institution with an affidavit stating that he or she has filed or will file an application for permanent residency with the Immigration and Naturalization Service as soon as the person is eligible to do so.

Under current law, the board awards grants, known as Lawton grants, to minority undergraduates enrolled in the UW System and awards grants to minority and disadvantaged graduate students enrolled in the UW System, and the Higher Educational Aids Board (HEAB) awards grants to undergraduates enrolled in nonprofit public institutions of higher education or tribally controlled colleges in this state. This bill supplements funding for these grant programs from moneys received by the UW System for auxiliary enterprises.

Current law directs the Wisconsin Technical College System (WTCS) Board to award grants to district boards to develop or expand programs in occupational areas in which there is a high demand for workers and to add sections in courses in which student demand exceeds capacity. This bill eliminates both of these programs.

This bill authorizes the WTCS Board to award grants to district boards to expand health care education programs.
OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, the Technology for Educational Achievement in Wisconsin (TEACH) Board, which is attached to DOA for administrative purposes, administers certain educational technology programs, including programs under which the TEACH Board awards educational technology block grants to school districts and juvenile secured correctional facilities; awards educational technology training and technical assistance grants to cooperative educational service agencies (CESAs) and to consortia of school districts, charter school sponsors, juvenile secured correctional facilities, public library boards, and CESAs; provides educational technology infrastructure financial assistance to school districts, charter school sponsors, and public library boards; and provides subsidized telecommunications access (an Internet data line or a video link) to various educational agencies.

This bill eliminates the TEACH Board and the position of executive director of the TEACH Board and transfers the TEACH Board’s duties to DPI. The bill also eliminates educational technology block grants, educational technology training and technical assistance grants, and educational technology infrastructure financial assistance, other than forgiveness of loans previously provided. In addition, the bill permits a public museum located in this state that is accredited by the American Association of Museums or an educational center that is affiliated with such a museum to receive a subsidy for telecommunications access. The bill eliminates an annual grant of $175,000 to the Racine Unified School District for training teachers and pupils in computers.

Under current law, the Higher Educational Aids Board (HEAB) administers various student financial aid programs for state residents attending institutions of higher education, including Wisconsin higher education grants, talent incentive grants, tuition grants, handicapped student grants, Indian student assistance grants, minority undergraduate retention grants, teacher education loans, minority teacher loans, health education loans, nursing student loans, and academic excellence scholarships. HEAB also administers contracts with the Medical College of Wisconsin and the Marquette University School of Dentistry under which a per capita amount is paid to those institutions for each state resident enrolled at those institutions and a tuition reciprocity agreement with the state of Minnesota. This bill, effective on July 1, 2004, eliminates HEAB and the executive secretary and deputy executive secretary positions in HEAB and transfers the duties of HEAB to the Board of Regents of the UW System. The bill also eliminates a cap of $1,800 for an academic year on the amount of a Wisconsin higher education grant.

Under current law, HEAB must disburse $11,670 in each fiscal year for each Wisconsin resident who is enrolled as a full-time doctor of dental surgery (D.D.S.) student at the Marquette University School of Dentistry. Current law caps the number of Wisconsin residents who may be so funded at 160. Current law also caps the tuition that the Marquette University School of Dentistry may assess a Wisconsin resident at an amount that is no more than the difference between $11,670 and the tuition assessed a nonresident.

This bill eliminates the amount that must be disbursed for each Wisconsin resident who is enrolled as a full-time D.D.S. student at the Marquette University
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School of Dentistry, the cap on the number of Wisconsin residents who may be so funded, and the cap on the tuition that the Marquette University School of Dentistry may assess a Wisconsin resident.

Current law appropriates to the Medical College of Wisconsin (Medical College), general purpose revenues for medical education, training, and research. From that appropriation, $10,091 must be disbursed in each fiscal year for each Wisconsin resident who is paying full tuition in pursuit of a doctor of medicine (M.D.) degree from the Medical College, except that, if the amount appropriated is insufficient to pay $10,091 per student, the payments must be disbursed on a prorated basis for each eligible student. Current law caps the number of Wisconsin residents who may be so funded. Current law also caps the tuition that the Medical College may assess a Wisconsin resident at an amount that is no more than the difference between $10,091 and the tuition assessed a nonresident.

This bill eliminates the amount that must be disbursed for each Wisconsin resident who is paying full tuition in pursuit of an M.D. degree from the Medical College, the cap on the number of Wisconsin residents who may be so funded, and the cap on the tuition that the Medical College may assess a Wisconsin resident.

EMPLOYMENT

Under the Municipal Employment Relations Act (MERA), if a dispute relating to a proposed collective bargaining agreement has not been settled after a reasonable period of negotiation and after mediation by the Wisconsin Employment Relations Commission (WERC), either party, or the parties jointly, may petition WERC to initiate compulsory, final, and binding arbitration with respect to any dispute relating to wages, hours, and conditions of employment. If WERC determines that an impasse exists and that arbitration is required, WERC must submit to the parties a list of seven arbitrators, from which the parties alternately strike names until one arbitrator is left. As an alternative to a single arbitrator, an arbitration panel may be formed that consists of one person selected by each party and one person selected by WERC, or a single arbitrator may be randomly selected from a list of seven names submitted by WERC. Under current law, an arbitrator or arbitration panel must adopt the final offer of one of the parties on all disputed issues, which is then incorporated into the collective bargaining agreement.

This process, however, does not apply to a dispute over economic issues involving a collective bargaining unit consisting of school district professional employees if WERC determines that the employer has submitted a qualified economic offer (QEO). Under current law, a QEO consists of a proposal to maintain the employees’ existing fringe benefits, and the employer’s contribution thereto, and to provide for an annual average salary increase having a cost to the employer at least equal to 2.1% of the existing total compensation and fringe benefit costs for the employees in the collective bargaining unit plus certain fringe benefit savings.

Currently, in school districts, MERA requires that the parties engage in good faith bargaining on all matters related to wages, hours, and conditions of employment. This bill requires the employer to bargain collectively with respect to education policy, but also provides that no dispute relating to an education policy issue is subject to interest arbitration unless all parties to the dispute agree to make
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such an issue subject to interest arbitration. If the employer, however, makes a proposal that provides that employee compensation or performance expectations are linked with pupil academic performance, the labor organization may include in its single final offer for purposes of interest arbitration any proposal to meet the performance expectations, including a proposal affecting education policy.

Under MERA, in reaching a decision, the arbitrator or arbitration panel must give weight to many factors, including the lawful authority of the municipal employer, the stipulations of the parties, the interest and welfare of the public, and the financial ability of the unit of government to meet the costs of the proposed agreement, comparison of wages, hours, and conditions of employment with those of other public and private sector employees, the cost of living, the overall compensation and benefits that the employees currently receive, and other similar factors. But, under current law, the arbitrator must give greater weight to economic conditions in the jurisdiction of the employer and the greatest weight to any state law or directive that places expenditure or revenue limitations on an employer.

This bill eliminates the authorization for the arbitrator or arbitration panel to give any weight to economic conditions in the jurisdiction of the employer or to any state law or directive that places expenditure or revenue limitations on an employer and, instead, requires that the arbitrator or arbitration panel simply considers these factors. In addition, with respect to a school district, the bill provides that the arbitrator or arbitration panel must use as a factor a determination as to which party’s proposal best provides for a fundamental right to an equal opportunity for a sound basic education under article X, section 3, of the Wisconsin Constitution.

Under current law, a person alleging discrimination in employment may file a complaint with DWD seeking such action as will effectuate the purpose of the law prohibiting employment discrimination (Fair Employment Law), including the payment of back pay, reinstatement of the employee, and the payment of compensation in lieu of reinstatement, but may not bring a civil action in circuit court seeking that action. This bill permits a person alleging discrimination in employment to bring a civil action in circuit court seeking such action as will effectuate the purpose of the Fair Employment Law.

Under current law, an employee who believes that his or her employer has violated the Family and Medical Leave Law may file a complaint with DWD seeking action to remedy the violation, including an order requiring the employer to provide the requested leave, to reinstate the employee, to provide back pay, and to pay reasonable actual attorney fees. Current law also permits an employee to bring an action in circuit court to recover damages caused by a violation of the Family and Medical Leave Law, but only after completion of an administrative proceeding concerning the violation. This bill eliminates the requirement that an administrative proceeding first be completed before an employee may bring an action in circuit court for a violation of the Family and Medical Leave Law.

Under current law, when DWD receives a complaint alleging discrimination in employment, housing, or the equal enjoyment of a public place of accommodation or a complaint alleging a violation of the Family and Medical Leave Law, DWD must investigate the complaint to determine whether there is probable cause to believe
that the discrimination or violation occurred. Under current DWD rules, if DWD finds that there is no probable cause to believe that the discrimination or violation occurred, the complainant may request a hearing on the issue by a hearing examiner. This bill eliminates the right to a hearing on the issue of probable cause and instead provides for a review by a hearing examiner based solely of DWD’s record of the complaint.

Under current law, the Wisconsin Conservation Corps (WCC) employs young adults to work on conservation and human services activities. The WCC Program is administered by the WCC Board, which may delegate its administrative responsibilities to the executive secretary of the board. This bill eliminates the WCC, the WCC Board, and the position of executive secretary of the WCC Board and, instead, requires DWD to award grants to community-based nonprofit organizations for youth employment projects that provide employment for youths 14 years of age or over, but less than 22 years of age; that encourage and develop employment and life skills, discipline, and cooperation in project participants by providing meaningful work experiences and training and educational opportunities for those participants; that pay not less than the minimum wage; and that either conserve, develop, enhance, or maintain the natural resources of this state or promote the social well-being of children, the elderly, persons with disabilities, and persons with low incomes, or both.

Under current law, the Governor’s Work-Based Learning Board (GWBLB) is required to plan, coordinate, administer, and implement certain youth apprenticeship, school-to-work, and work-based learning programs and other employment and education programs that the governor may, by executive order, assign to the GWBLB. This bill eliminates the GWBLB and transfers administration of the employment and education programs currently administered by the GWBLB to DWD. The bill also creates the Governor’s Work-Based Learning Council and directs the council to oversee the planning, coordination, administration, and implementation by DWD of those programs.

Under current law, the Wisconsin Service Corps employs young adults to work on community service activities that address the social, health, and economic needs of communities within Milwaukee County. This bill eliminates the Wisconsin Service Corps.

Current law requires DWD to provide a Trade Masters Pilot Program to recognize advanced training and postapprenticeship achievements in three trades, crafts, or businesses, one of which must be in the industrial sector, one in the construction sector, and one in the service sector of the economy. This bill eliminates the program.

Current law requires DWD to administer an Employment Transit Assistance Program under which DWD conducts projects, or awards grants to local public bodies and mass transit systems to conduct projects, to improve access to jobs that are located in outlying suburban and sparsely populated and developed areas that are not adequately served by a mass transit system. This bill eliminates certain requirements that currently apply to the program, including requirements that all jobs accessed by the program must pay at least $4 per hour, that fares charged under
the program may not exceed $2 per one-way trip, and that employers of employees participating in the program must pay at least 50% of the cost per one-way trip for those employees.

ENVIRONMENT

WATER QUALITY

Under the Clean Water Fund Program, Wisconsin makes loans at subsidized interest rates for projects to control water pollution, including sewage treatment plants. This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2003-05 biennium at $92,400,000. The bill also increases the revenue bonding authority for the Clean Water Fund Program by $259,670,000.

Under the Safe Drinking Water Loan Program, Wisconsin makes loans at subsidized interest rates to local governmental units for projects to construct or modify public water systems. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2003-05 biennium at $12,800,000.

Under current law, DNR provides financial assistance for measures to reduce water pollution from nonpoint (diffuse) sources. This bill increases the general obligation bonding authority for nonpoint source financial assistance by $9,546,800.

Under current law, DNR also provides financial assistance for the management of urban storm water runoff and for flood control projects. This bill increases the general obligation bonding authority for these programs by $4,700,000.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under the Brownfields Grant Program, the Department of Commerce awards grants for the redevelopment of brownfields and remediation activities associated with that redevelopment. Brownfields are abandoned, idle, or underused industrial or commercial facilities or sites the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination. Also under current law, DNR awards grants to local governmental units for investigating environmental contamination; to municipalities for conducting cleanups of brownfields; and to local governmental units for brownfields remediation projects that have long-term public benefits, including the preservation of green space.

This bill eliminates the Brownfields Grant Program administered by the Department of Commerce and the grant programs related to brownfields administered by DNR. The bill establishes a new Brownfields Grant Program, under which DNR awards grants to local governmental units and private entities to determine the existence and extent of environmental contamination in brownfields and to remove or contain environmental contamination and restore the environment at brownfields.

Under current law, the Department of Commerce administers a program (commonly called PECFA) to reimburse owners of petroleum product storage tanks for a portion of the costs of cleaning up discharges from those tanks. This bill increases the revenue bonding authority for PECFA by $115,000,000.
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Under the Land Recycling Loan Program, Wisconsin makes loans to political subdivisions for projects to remedy environmental contamination at sites owned by the political subdivisions where the environmental contamination has affected, or threatens to affect, groundwater or surface water. The loans are subsidized, so that recipients are not required to pay interest. This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2003–05 biennium at $12,000,000.

Current law authorizes DNR to conduct or fund activities to remedy environmental contamination in some situations. This bill increases the authorized general obligation bonding authority to finance those activities by $6,000,000.

OTHER ENVIRONMENT

Current law authorizes DNR to establish fees for inspecting nonresidential asbestos demolition and renovation projects that DNR regulates. The fees may not exceed $210 per project. This bill increases the maximum fees to $450 or $750, depending on the size of the project. The bill also authorizes DNR to charge separately for the costs it incurs for laboratory testing for these projects.

Under current law, the Waste Facility Siting Board (WFSB) oversees negotiations and arbitration between local governments and persons who want to establish or expand landfills. This bill eliminates the authority of WFSB to appoint an executive director. The bill requires the Division of Hearings and Appeals, attached to DOA for administrative purposes, to provide staff to assist WFSB in performing its duties.

GAMBLING

Currently, the administrator of the Lottery Division of DOR may determine whether lottery functions should be performed by DOR or by persons under contract with DOA. Current law, however, prohibits contracting out the entire management and operations of the state lottery and specifically prohibits contracting out financial auditing and security monitoring services. This bill authorizes the administrator to determine whether any lottery functions, other than procurement and financial auditing services, should be performed by persons under contract with DOA.

The bill also creates a process whereby the governor, upon the request of DOR, may create positions funded from lottery revenues in DOR to perform services relating to the state lottery that are not performed by one or more persons under contract with DOA.

Current law regulating procurement for the state lottery requires separate bids to provide instant lottery ticket services and supplies and on-line services and supplies for the state lottery. This bill eliminates the requirement of separate bids.

Currently, all revenue received by the state under Indian Gaming compacts funds gaming law enforcement, the Indian gaming operations of the Division of Gaming in DOA, and a variety of specified programs.

This bill requires that only the first $24,352,500 received in any fiscal year under these compacts be used for these programs. Receipts that exceed this amount are available for other purposes under the bill, except that not more than $112,000,000 may be made available during the 2003–04 fiscal year and not more than $125,000,000 may be made available during any fiscal year thereafter.
HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

Under administrative rules promulgated by DHFS, persons with family incomes at or above 300% of the federal poverty line must contribute a certain percentage of their family incomes for the cost of their medical treatment before assistance will be provided under the Chronic Disease Aids Program, which provides financial assistance for the cost of medical care for the treatment of chronic kidney disease, cystic fibrosis, and hemophilia to persons with those conditions. This bill increases by 0.25% the percentage of family income that a family must contribute under the rules. In addition, the bill requires DHFS to promulgate rules requiring persons with family incomes at or above 200% of the federal poverty line to contribute a certain percentage of their family incomes for the cost of their medical treatment before assistance will be provided under the program.

The administrative rules currently require a person receiving benefits under the program to pay a $5 copayment for a generic prescription drug and a $10 copayment for a brand name prescription drug for which a pharmacy directly bills the program. The bill changes the copayment amount for a brand name prescription drug to $15.

The bill makes three additional changes to the Chronic Disease Aids Program. The bill authorizes DHFS to use managed care methods of cost containment; eliminates the requirement that the rates paid by DHFS for services provided for the treatment of chronic kidney disease be equal to the allowable charges under the federal Medicare program and prohibits a provider from billing a patient for any difference between the amount that the state pays and the provider’s charge for the service; and provides that a person may not receive benefits under the program unless, before applying, the person applies for benefits under other health care coverage programs for which he or she reasonably may be eligible.

Under current law, county departments of social services or human services pay cemetery, funeral, and burial expenses for decedents whose estates are insufficient to pay those expenses and who received certain public assistance benefits, such as Wisconsin Works benefits or Medical Assistance (MA) benefits. The county departments are reimbursed for those payments by DWD. Under current law, DHFS contracts with county departments to administer the MA program, the Badger Care health care program, and the food stamp program and reimburses the county departments for their administration costs.

Under this bill, DHFS, instead of DWD, reimburses county departments for the payments that they make for cemetery, funeral, and burial expenses. In addition, the bill provides that DHFS reimburses county departments for their expenses incurred in determining eligibility for that program. The bill allows, rather than requires, DHFS to delegate to county departments the administrative function of determining eligibility under the MA program.
Wisconsin Works program

The current Wisconsin Works (W−2) program provides work experience and benefits for low-income custodial parents who are at least 18 years old, as well as job search assistance to noncustodial parents who are required to pay child support, to minor custodial parents, and to pregnant women who are not custodial parents. Also, the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, is eligible for a child care subsidy under W−2 if the parent needs child care services to participate in various educational or work activities. W−2 is administered generally by DWD, which contracts with W−2 agencies to administer the program locally. W−2 is funded with federal Temporary Assistance for Needy Families (TANF) block grant money, federal child care block grant moneys, and state general purpose revenue. In general, an individual may not participate in W−2 more than five years, which need not be continuous.

Current employment positions

The work components under W−2, called employment positions, consist of three categories: trial job, community service job, and transitional placement. Employers for all employment positions must meet criteria established by DWD and all participants in all employment positions must search for unsubsidized employment the entire time that they are participating in any W−2 employment position.

Trial jobs. When determining which employment position is the most appropriate placement for a participant, a W−2 agency must give the highest priority to trial jobs. A participant in a trial job is paid by his or her employer at least the minimum wage for every hour actually worked, but not exceeding 40 hours per week, including required education and training. The W−2 agency pays a wage subsidy of $300 per month to a trial job employer that agrees to make a good faith effort to retain the participant as a permanent unsubsidized employee after the trial job terminates. The employer must provide worker’s compensation coverage for a trial job employee. Unless the W−2 agency grants an extension, a participant may work in any one trial job for up to three months, and for up to 24 months, which need not be consecutive, in more than one trial job.

Community service jobs. A W−2 agency must give higher priority to a community service job than to a transitional placement when placing a W−2 participant. Community service jobs are limited to projects that DWD determines will serve a useful public purpose or that will generate revenue that wholly or partially offsets the project’s cost. A participant in a community service job may not work more than 30 hours per week and may be required to participate in education or training for up to ten hours per week. A participant in a community service job who works more than 20 hours per week receives from the W−2 agency a monthly grant of $673, which is reduced if the participant works 20 or fewer hours per week. In addition, the monthly grant that a participant would receive based on the number of his or her work hours is reduced by $5.15 for every hour of work that a participant misses without good cause. Generally, the W−2 agency must provide worker’s compensation coverage for a participant in a community service job. Unless the W−2 agency grants an extension, a participant may work in any one community service...
job for up to six months, and for up to 24 months, which need not be consecutive, in more than one community service job.

Transitional placement. A W-2 participant may be placed in a transitional placement if he or she has been or will be incapacitated for at least 60 days, is needed at home because of the illness or incapacity of a member of his or her household, or is incapable of performing a trial job or community service job. A transitional placement may consist of work in a community rehabilitation program, a job similar to a community service job, or volunteer activities. A participant in a transitional placement may be required to work for up to 28 hours per week and to participate in education and training for up to 12 hours per week. A participant in a transitional placement may be required to participate in mental health activities, counseling or rehabilitation, or alcohol and other drug abuse treatment. A participant in a transitional placement receives from the W-2 agency a monthly grant of $628, which is reduced by $5.15 for every hour that a participant fails to participate in any required activity without good cause. Generally, the W-2 agency must provide worker’s compensation coverage for a participant in a transitional placement. Unless the W-2 agency grants an extension, a participant may participate in a transitional placement for up to 24 months, which need not be consecutive.

New employment position

Transitional subsidized private sector jobs. This bill creates a new employment position in W-2, called a transitional subsidized private sector job. A W-2 agency must give placement in a transitional subsidized private sector job the same priority as placement in a community service job. If a W-2 agency determines that placement in either a transitional subsidized private sector job or a community service job is appropriate for a participant, the participant must be allowed to choose between the two placements. A participant who chooses placement in a transitional subsidized private sector job will be offered a choice of one or more jobs in locations that are reasonably accessible to the participant.

Employers for transitional subsidized private sector jobs must be selected by DWD in a request-for-proposals process. To be selected, an employer must show the ability to create useful transitional subsidized private sector jobs. A selected employer that employs a participant in a transitional subsidized private sector job is reimbursed by DWD for up to 100% of the employer’s costs that are attributable to employing the participant, such as wages, federal social security taxes, and worker’s compensation and liability insurance premiums.

Each transitional subsidized private sector job must be designed by the employer, in consultation with DWD and the W-2 agency, for the participant who is offered the job. DWD may design a transitional subsidized private sector job that allows a participant to work in supported employment or to care for a severely disabled child or other relative. Each transitional subsidized private sector job must provide 25 to 30 hours of work per week. A participant in a transitional subsidized private sector job is an employee of his or her employer for all purposes and must be paid at least the federal minimum wage by the employer. DWD may require that a participant in a transitional subsidized private sector job be given a sick leave benefit.
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After a participant has been working satisfactorily in a transitional subsidized private sector job for at least two weeks, the participant and W−2 agency, in consultation with the employer, may enter into an agreement allowing the participant to enroll in education or training to acquire skills leading to unsubsidized employment, reducing the participant's hours in the transitional subsidized private sector job to 15 to 20 hours, and requiring the W−2 agency to pay the participant a stipend equal to 90% of what the participant would have earned in the transitional subsidized private sector job if his or her hours had not been reduced.

Unless the W−2 agency grants an extension, a participant may work in any one transitional subsidized private sector job for up to six months, and for up to 24 months, which need not be consecutive, in more than one transitional subsidized private sector job. A participant in a transitional subsidized private sector job may be terminated by his or her employer for misconduct, failure to perform work satisfactorily, or repeated unexcused absences. A participant may also be terminated from a transitional subsidized private sector job by the W−2 agency for not making a good faith effort to seek unsubsidized employment. In either case, a participant who believes that he or she was wrongfully terminated may appeal the termination to DWD.

Caretaker of newborn infant program change and studies

Under current law, a person who meets the eligibility requirements for W−2 and who is the custodial parent of a child who is 12 weeks old or younger may receive a monthly grant of $673 and may not be required to participate in a W−2 employment position. This bill increases the maximum age of the child so that the custodial parent of a child who is six months old or younger may receive the monthly grant and may not be required to participate in an employment position.

The bill directs DWD to conduct a study to determine the best ways to assist low-income custodial parents and other at-risk low-income adults in getting and keeping a job. DWD must submit a report with its findings and recommendations to the governor and legislature. The bill also directs DWD to investigate ways in which federal funding other than TANF block grants can be used to create a seamless system of employment and education training services for low-income adults in Wisconsin and to submit a report on its findings to DOA.

Under current law, DWD certifies to DOR any overpayment of food stamp benefits or various benefits under W−2 for recovery as a setoff against any income tax refund owed to the person who received the overpayment. Also under current law, DWD makes job access loans to persons who are eligible for W−2 to enable them to obtain or continue employment.

This bill authorizes DWD to certify delinquent job access loan repayments to DOR for setoff against any income tax refund owed to the person who received the loan. Delinquent repayment amounts collected by DOR and paid to DWD must be used to make more job access loans.

MEDICAL ASSISTANCE

Under current law, the MA trust fund (MATF) consists of all public funds for MA nursing home payments that are transferred to the MATF as the nonfederal share for the purpose of claiming federal moneys, and of all the matching moneys...
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received in return under the federal MA program (commonly known as Medicaid). Counties that make these transfers to the MATF are reimbursed by DHFS from the general fund.

This bill appropriates money from the MATF to reimburse counties for the moneys the counties transferred to the state in support of MA payment for nursing home services and that were used as the nonfederal share of MA payments.

Currently, under a waiver of federal Medicaid laws, DHFS administers a community integration program (commonly known as CIP IA) under which MA recipients who reside in state centers for the developmentally disabled are relocated into their communities and provided home and community-based services. DHFS administers another similar community integration program (commonly known as “CIP IB”), under which persons with developmental disabilities who are relocated from institutions other than state centers for the developmentally disabled or who meet requirements for the care provided in intermediate care facilities for the mentally retarded or brain injury rehabilitation facilities are relocated into their communities.

This bill appropriates the moneys received from counties to provide supplemental MA program benefits for CIP IA and CIP IB, emergency medical transportation services, alcohol and other drug abuse and mental health treatment and services, and school medical services, as part of a claim for federal Medicaid matching moneys. The moneys counties must pay are related to the federal share of rate increases for CIP IA and CIP IB beginning in 2001, the federal share of rate increases for alcohol and other drug abuse and mental health treatment and services beginning in 2003, and the moneys paid in support of the claim for federal Medicaid matching moneys. If the amount received by DHFS exceeds payments for services, the excess must be transferred to the MATF. The bill annually decreases the total amount paid to school districts for special education by the amount of the supplementary payment for MA school-based services received. In addition, the bill expands the MATF to include moneys that are related to any MA service. Lastly, the bill authorizes DHFS to award grants to counties from the MATF for mental health community support programs and to distribute to counties and local health departments from the MATF an amount equal to the amount that was distributed in 2002 to reduce operating deficits.

Under current law, persons who apply for admission to nursing homes, state centers for the developmentally disabled, or institutions for mental diseases, including persons who are found by a court to be in need of protective services and are protectively placed, must be screened to determine if they have a developmental disability or mental illness and need facility care and active treatment. Residents of these facilities who have a developmental disability or mental illness and significant changes in their physical or mental conditions must also be screened to determine if they need facility care or active treatment. Persons who are not in need of facility care must be relocated. Currently, counties must provide the portion of the MA program payment that is not provided by the federal government for services to individuals in state centers for the developmentally disabled who are also mentally ill and exhibit extremely aggressive and challenging behaviors. Under CIP IB, a
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A county that owns the institution from which a person is relocated into the community must receive approval from DHFS of a plan for delicensing a bed of the institution for the county to obtain reimbursement for the person’s community care.

This bill restricts protective placements and admissions, after March 31, 2004, of persons with developmental disabilities to intermediate facilities and nursing facilities. Within 90 days after receiving written notice of the prospective placement or admission of a person with developmental disabilities in an intermediate facility, a county department of social services, human services, developmental disabilities services, or community programs must develop a plan for providing home or community-based care to the person in a noninstitutional setting. The person may not be placed in or admitted to the intermediate facility unless a court finds that placement in the community under such a plan is not in the person’s best interests, or the person or his or her guardian rejects the plan. Also, a person who has been screened and found to require active treatment for developmental disability may not be placed in or admitted to a nursing facility unless his or her need for care cannot be met in an intermediate facility or under a plan for home or community care.

The bill requires that residents of state centers for the developmentally disabled who have been determined to need facility care and active treatment for developmental disability be further screened to determine whether the level of care that they require could be provided safely in an intermediate facility or under a plan for home or community care.

The bill prohibits payment of the federal portion of MA for services for a resident in a state center for the developmentally disabled who is also mentally ill and exhibits extremely aggressive and challenging behaviors unless the person receiving the services has been protectively or temporarily placed in the state center or is placed there for emergency purposes. The bill requires that counties pay the portion of MA that is not provided by the federal government for services to persons with developmental disabilities in an intermediate care facility for the mentally retarded and, if they have been determined to need facility care, for services in a nursing facility; however, no payment of the federal portion of MA for services to these persons may be made unless they were placed in or admitted to the facility after the placing board considered a plan for home or community care and rejected the plan or found it would not meet their needs. The requirements and limitations first apply to services provided and payment made on April 1, 2004.

The bill changes laws relating to protective placement of persons who are found incompetent. Under the bill, the court must notify the appropriate county department to develop a plan for home or community care for a person about to be protectively placed and the person must be placed in a noninstitutional community setting under the plan unless the court finds that placement for home or community care would not be in the person’s best interests.

Under current law, a community integration program (commonly known as CIP II) provides home or community-based care to persons who are relocated from institutions other than the state centers for the developmentally disabled and to persons who meet MA level-of-care requirements in nursing homes.
Beginning on June 1, 2004, this bill requires a county department of human services, developmental disabilities services, or community programs of a county that participates in CIP II or CIP IB to perform a needs and costs-based assessment for nursing home residents who are eligible for but not receiving services under the program; who have received MA coverage for their nursing home care for at least 30 days; and who prefer services in the community, rather than in the nursing home. After completing the assessment, the county department must contact DHFS; if DHFS determines that costs for services for the nursing home resident are below the limit under a formula specified in the bill, or if DHFS determines that additional funding is available for above-limit costs, the county department must offer the home or community-based services to the nursing home resident. The county department must initiate the assessment before the person has resided in the nursing home for 90 days or before the cost of the resident’s nursing home care has been paid for under MA for 30 days, whichever is longer, and must complete the assessment within 90 days. A county department that fails to meet these requirements and to offer home or community-based care to the resident must pay the nonfederal share of the resident’s MA nursing home care unless the resident refused to participate or the assessment determined that relocation was not feasible.

Beginning on January 1, 2004, DHFS is authorized to provide funding to counties from the MA trust fund to conduct these relocation activities and to provide increased funding for services to the nursing home residents who are relocated to communities.

This bill authorizes DHFS to assess each health maintenance organization (HMO) 1% of its annual gross revenue, based on a statement that it must file with OCI annually by March 1. The assessments are deposited into the MA trust fund. In addition, the bill requires DHFS to distribute moneys in each fiscal year from the MA trust fund to supplement MA payments to HMOs that provide services to MA recipients; to supplement payments to HMOs that provide services to recipients of Badger Care (a program of health care coverage for certain low-income children who do not reside with a parent and for certain low-income families); to assist in meeting increasing costs and more intense use of services by recipients; and to meet other reimbursement needs that DHFS identifies.

Currently, DHFS must distribute in each fiscal year not more than $2,256,000 in supplemental payments to rural hospitals with high use of inpatient services by patients whose care is paid for by the state or federal government, and to rural hospitals that meet certain federal MA requirements. This bill eliminates MA supplemental payments by DHFS to rural hospitals with high MA recipient use and eliminates the statutory limit on the amount of supplemental payments that DHFS must make to critical access hospitals.

Under current law, payments to nursing homes for services to recipients under the MA program are calculated using a formula that considers certain costs of individual nursing homes, including direct care, support services, fuel and utilities, net property tax or municipal services, administrative and general costs, interest expenses, and necessary capital payments. For direct care costs, DHFS must use standards that sample nursing homes in the state, as adjusted for regional labor cost
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variations. For nursing homes in Douglas, Pierce, and St. Croix counties, DHFS uses a federal Medicare program hospital wage index.

This bill requires DHFS to make a flat-rate payment for MA nursing home costs, as determined by DHFS, for personal comfort supplies and allowable support service costs. Beginning July 1, 2004, the bill requires an MA flat-rate payment for support services (dietary services, environmental services, fuel and utilities, administrative and general costs) and direct care costs (personal comfort supplies, medical supplies, over-the-counter drugs and nonbillable services for ancillary nursing home personnel). Under the bill, cost-based payment will continue to be made for nonbillable direct care costs for registered nurses, licensed practical nurses, and nurse’s assistants; property tax or municipal services; interest expenses; and necessary capital payments. The bill eliminates the use of a federal Medicare Program hospital wage index in calculating MA direct care costs for nursing homes in Douglas, Pierce, and St. Croix counties and requires, instead, that direct care costs for nursing homes in those counties be calculated as are direct care costs for nursing homes in other counties. The bill clarifies that “costs for property taxes and municipal services” refer to paid, rather than incurred, costs.

Under current law, counties may transfer moneys to the state as the nonfederal share of public moneys to serve as the basis for claims for federal Medicaid matching moneys. These federal matching moneys reduce the operating deficits of county, city, village, or town nursing homes. Currently, if federal matching moneys that are related to the transfers are not received in a fiscal year, DHFS may distribute up to $37,100,000 to these facilities or a lesser amount if other federal Medicaid matching moneys are reduced. If federal matching moneys that are related to the transfers are received in a fiscal year, DHFS may distribute up to $77,100,000 to these facilities and to care management organizations that contract with the facilities for services. This bill eliminates the distinction between receipt and nonreceipt of federal matching moneys that are related to the transfers with respect to distributing moneys to reduce the operating deficits of county, city, village, or town nursing homes and, instead, authorizes DHFS to distribute up to a total of $37,100,000 to these facilities and to care management organizations.

Under current law, DHFS provides health care services to eligible individuals under the MA program. Current law requires certain MA recipients to share the cost of medical services provided under MA by paying up to the maximum amount allowable under federal law. Current law also limits to $5 per month the total amount that an MA recipient may be required to pay for prescription drugs if the recipient designates a pharmacy or pharmacist as his or her sole provider of prescription drugs.

Under this bill, MA recipients who must pay a portion of their medical services must pay a copayment of $1 for each prescription for a generic drug and a copayment of $3 for each prescription for a brand name drug. The bill also raises to $12 per month the maximum amount an MA recipient may be required to pay for prescription drugs if the MA recipient designates a pharmacy or pharmacist as his or her sole provider of prescription drugs.
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Under current law, a child or family with health care coverage under BadgerCare and with an income that is equal to or greater than 150% of the federal poverty level must contribute a percentage of income to the cost of the health care according to a schedule established by DHFS. Current law requires DHFS to submit the schedule to JCF for review and approval if the schedule requires a child or family to contribute more than 3% of the child’s or family’s income to the cost of health care, and JCF may not approve a schedule that requires a child or family to contribute more than 3.5% of the child’s or family’s income.

Under this bill, each child or member of a family with health care coverage under BadgerCare and with an income that is equal to or greater than 150% of the federal poverty level must pay a copayment of $1 for each prescription for a generic drug and a copayment of $3 for each prescription for a brand name drug. The bill eliminates the requirement that DHFS submit the cost-sharing schedule to JCF and prohibits DHFS from establishing or implementing a cost-sharing schedule that requires a child or family to contribute more than 5% of income to the cost of health care.

This bill authorizes DHFS to design and implement a program to reduce the cost of prescription drugs and to maintain high quality in prescription drug therapies. The program must include supplemental rebates under agreements with prescription drug manufacturers for prescription drugs provided to MA and Badger Care recipients and to persons eligible under a program of prescription drug assistance to elderly persons (commonly known as Senior Care). The bill also authorizes DHFS to enter into prescription drug multi-state purchasing agreements and other agreements with prescription drug purchasers if the other state or purchaser agrees to participate in any of the activities under the program.

Under current law, if a person who is eligible for BadgerCare or the purchase plan portion of the MA program is also eligible for health care coverage that is offered by an employer, DHFS may purchase the employer-offered health care coverage on behalf of the person if DHFS determines that purchasing the coverage will not cost more than providing the coverage under BadgerCare or MA.

Also under current law, if an employer offers health care coverage to its employees, in some cases the insurer that provides the coverage must allow an employee, or an employee’s dependent, to enroll in the health care coverage plan outside the usual enrollment periods. For example, if an employee refused coverage under the employer’s health care coverage plan during a previous enrollment period because the employee had other health care coverage, the employee may enroll in the employer’s plan within 30 days after the other health care coverage terminates or is exhausted. Likewise, if an employee gets married or adopts a child, the employee’s spouse or child may enroll in the employer’s health care coverage plan during a special enrollment period that lasts for 30 days from the date of the marriage or adoption.

This bill requires an insurer that provides coverage under an employer’s health care coverage plan to permit an employee, or an employee’s dependent, who is eligible for but not enrolled in the employer’s health care coverage plan to enroll in the employer’s plan during a special, 30-day enrollment period if: 1) the employee or
dependent is eligible for coverage under BadgerCare or MA; and 2) DHFS will purchase the coverage on behalf of the employee or dependent because DHFS has determined that it will not be more costly to pay the portion of the premium for which the employee is responsible under the employer’s plan than to provide coverage for the employee or dependent under BadgerCare or MA. The 30-day enrollment period begins on the date on which DHFS makes the determination about the cost of the coverage.

Also under the bill, if DHFS determines that a waiver is required, DHFS must request a waiver from the federal Department of Health and Human Services to allow DHFS to require a family, as a condition of eligibility for BadgerCare, to provide verification of an employed family member’s earnings; whether the employer provides health care coverage for which the family is eligible; and the amount that the employer pays, if any, towards the cost of the health care coverage. Under current law, a family with income below 185% of the poverty line is eligible for BadgerCare if the family does not have access to employer-provided health care coverage for which the employer pays at least 80% of the cost.

Under current law, a woman who has been screened for breast or cervical cancer under a breast and cervical cancer early detection program authorized under a federal grant, who requires treatment for breast or cervical cancer, who is under 65 years of age, and who is not eligible for health care coverage that qualifies under a federal law as creditable coverage, (which generally includes any type of health care coverage) is eligible for MA.

This bill expands the MA eligibility based on breast or cervical cancer in two ways. First, in conformity with the interpretation of the Centers for Medicare and Medicaid Services, the requirement that the woman is being treated for breast or cervical cancer is expanded to include treatment for a precancerous condition of the breast or cervix. Second, the requirement that a woman must be ineligible for creditable coverage is changed, in conformity with a change in federal law, to exclude from consideration eligibility for a medical care program of the federal Indian Health Service or an American Indian tribal organization.

Under current law, a person who receives MA and who is in a public medical institution, hospital, skilled nursing facility, or intermediate care facility generally may retain $45 per month in unearned income for personal needs and must apply any excess income toward the cost of his or her care in the institution or facility. This bill changes the amount that may be retained for personal needs to $30 per month.

Under current law, to qualify for MA, an applicant must meet certain income and asset limits. DHFS must exclude certain assets when determining whether an applicant meets the asset limit, including up to $3,000 in an irrevocable burial trust. This bill decreases the limit on an irrevocable burial trust to $1,500.

Under current law, mental health and psychological rehabilitative services provided by a community support program to individuals with mental illness who live in the community are a covered benefit under MA. The county pays all costs for the services that are not paid by the federal government. Also covered, but only if a county elects to offer the services as a benefit, are psychosocial services provided by a community-based psychosocial service program to individuals with less severe
mental illness who live in the community. A county that elects to provide the services as a benefit must pay all costs not paid by the federal government. This bill eliminates psychosocial services provided by a community-based psychosocial service program as a benefit under MA.

Under current law, county departments of social services, human services, and developmental disabilities services, and local health departments that have incurred costs in excess of reimbursement for providing certain services to MA recipients may receive from DHFS a 60% federal Medicaid matching amount for moneys the county departments and local health departments expend to reduce operating deficits for those costs.

The bill makes these matching payments unavailable if the federal Center for Medicare and Medicaid Services approves a revised payment methodology for MA services provided by a local government. If this methodology is approved, a county department or local health department that received a distribution from DHFS of federal Medicaid matching moneys under the program for any year after 2002 must return the moneys to DHFS.

Currently, DHFS must make incentive payments to counties for identifying MA applicants and recipients who have other health insurance coverage and for identifying providers of the other coverage. This bill eliminates this requirement.

Under current law, if a married person living in a medical institution or nursing facility or receiving long-term care through a community-based program (institutionalized spouse) is eligible for MA and his or her spouse is not also in a medical institution or nursing facility or receiving long-term care through a community-based program (community spouse), a certain amount of the couple's assets need not be used to pay for the institutionalized spouse's care and may be transferred to or retained by the community spouse. This asset amount is called the "community spouse resource allowance," which under current law is the greatest of a range of specified amounts.

To comply with a federal requirement that the community spouse resource allowance be a single amount instead of a range, this bill changes the community spouse resource allowance to $50,000 unless the amount established in a fair hearing or by a court order is greater.

Currently, a person whose primary disabling condition is developmental disability is eligible for the Family Care benefit (long-term care or referral) if he or she is a resident of a county or a member of a federally recognized American Indian tribe or band that operated a care management organization before July 1, 2003, is at least 18 years old, and meets functional and financial eligibility criteria.

This bill eliminates the requirement that, to be eligible for the Family Care benefit, an otherwise eligible person whose primary disabling condition is developmental disability be a resident of a county or member of a tribe or band that operated a care management organization before July 1, 2003. The bill also requires the secretary of health and family services to assess the feasibility of expanding the Family Care Program to include two additional counties and to report to the secretary of administration and the governor by July 1, 2004, concerning the
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feasibility and whether the expansion should be included as part of the biennial budget bill for the 2005-07 fiscal biennium.

Current law authorizes DHFS to determine the date on which the functionality criteria for Family Care eligibility first apply to applicants for the Family Care benefit who are not MA recipients, but the date may not be later than January 1, 2004. This bill changes the date to be not later than January 1, 2006, but, before the determined date, persons who are not eligible for MA may receive the Family Care benefit if funding is available.

CHILDREN

Under current law, the state receives reimbursement under Title IV-E of the federal Social Security Act (generally referred to as IV-E funds) for costs incurred by the state and the counties relating to foster care and the adoption of children. DHFS distributes IV-E funds as community aids to counties for providing social services to children and families. If, at the end of any year, excess IV-E funds remain, DHFS must carry forward to the next year those excess IV-E funds and distribute not less than 50% of those excess IV-E funds to counties other than Milwaukee County that are making a good faith effort to implement the statewide automated child welfare information system for services and projects to assist children and families. This bill requires DHFS to reduce by 50% the amount of excess IV-E funds distributed to a county if, at the end of any year, the county is not using a centralized unit contracted for by DHFS to determine if the cost of providing care for a child is eligible for IV-E reimbursement.

Under current law, certain federal revenues are appropriated to DHFS for distribution to counties for social, mental health, developmental disabilities, and alcohol and other drug abuse services. This bill appropriates for distribution to counties, as community aids, all federal MA moneys received in reimbursement of the cost of preventing out-of-home placements of children.

HEALTH

Under current law, DHFS inspects, licenses, and otherwise regulates nursing homes and community-based residential facilities (C-BRFs). Revenues from nursing home and C-BRF licensing fees are, in part, used for the costs of the inspections and licensing. DHFS imposes and directly assesses forfeitures on C-BRFs, ranging from $10 to $1,000, for each violation of regulatory statutes or rules. DHFS also imposes and directly assesses forfeitures on nursing homes.

The bill increases from $1,000 to $10,000 the maximum amount of a forfeiture that DHFS may impose on a violating C-BRF. The bill requires DHFS to impose on a violating nursing home a forfeiture surcharge of 6% of each forfeiture amount.

Under current law, DHFS levies assessments on all occupied, licensed beds of nursing homes and intermediate care facilities for the mentally retarded (ICFMRs) that are not state-owned or state-operated or federally owned or federally operated, except occupied, licensed beds for which payment is made under the federal Medicare program. The assessments are $32 per month per bed of a nursing home and $100 per month per bed of an ICFMR.

This bill expands the assessments on occupied, licensed beds of nursing homes and ICFMR to all licensed beds, including beds occupied by residents whose costs are
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paid under the federal Medicare program, regardless of whether the nursing home or ICFMR is privately owned or is owned or operated by the state or the federal government. Under the bill, the amount of the assessment per licensed bed of a nursing home is increased to up to $116 per month and the amount of the assessment per licensed bed of an ICFMR is increased to up to $435 per month in fiscal year 2003-04 and up to $445 per month in fiscal year 2004-05. Of the amounts received from the assessment, a portion is deposited into the general fund and the remainder is deposited into the MA trust fund.

This bill requires, beginning on January 1, 2005, every governmental unit that provides health insurance coverage for its employees to join a pharmacy benefits purchasing pool that uses a preferred list of covered prescription drugs. The governmental units must seek to develop the preferred list by identifying the relative effectiveness of prescription drugs within therapeutic classes for particular diseases and conditions and by identifying the least costly prescription drugs among those found to be equally effective. After the purchasing pool is developed, the pool must be available to an employer that is not a governmental unit and that provides health insurance coverage to any of the employer’s employees, if the governor requests the employer to participate in the pool.

Under current law, elderly persons may purchase prescription drugs at reduced prices under Senior Care. Persons eligible for Senior Care are state residents who are at least 65 years old, who are not MA recipients or do not receive prescription drug coverage as MA recipients, and whose annual household incomes do not exceed 240% of the federal poverty line for families the size of each person’s eligible family. Persons who meet these requirements must pay a 12-month program enrollment fee of $20 and an annual $500 deductible for prescription drugs, at the “program payment rate” (the MA prescription drug payment rate, plus 5%, plus a dispensing fee), and then need pay only a copayment of $5 for generic prescription drugs and a copayment of $15 for nongeneric prescription drugs. (Eligible persons with an annual household income that does not exceed 160% of the federal poverty line for families the size of the persons’ eligible families are not required to pay the $500 deductible.) Other persons who meet all the requirements except the income limitation are also eligible to purchase prescription drugs at reduced amounts under Senior Care if, for each 12-month benefit period, they pay the program enrollment fee and then first “spend down” their income by paying for prescription drugs, at the program payment rate, a deductible of $500 plus, at the retail price, the difference between their annual household income and 240% of the federal poverty line. Payment is made to pharmacies and pharmacists, for prescription drugs sold to Senior Care participants, by the state from the rebate payments and from general purpose revenues, at the program payment rate.

This bill increases the deductible for each 12-month Senior Care benefit period and the program enrollment fee for Senior Care participants based on the percentage that a person’s annual household income is of the federal poverty line for a family the size of the person’s eligible family. The bill also modifies the program enrollment fee based on a person’s income and reduces the program payment rate for payment to
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pharmacies and pharmacists, to the MA prescription drug payment rate, plus a dispensing fee.

Under current law, the Tobacco Control Board awards grants from the tobacco control fund for activities related to smoking prevention and cessation. This bill eliminates the Tobacco Control Board and transfers its responsibilities and administration of the tobacco control fund to DHFS.

Annually on June 15 beginning in 2004, JCF must transfer from the permanent endowment fund to the tobacco control fund the lesser of $25,000,000 or the proceeds of, and investment earnings on, investments of the permanent endowment fund in the prior year. Also on June 15 annually, beginning in 2004, a transfer must be made from the general fund to the tobacco control fund of $25,000,000, less the amount that must be transferred to the tobacco control fund from the permanent endowment fund. This bill requires JCF to transfer annually, beginning on June 15, 2004, from the permanent endowment fund to the tobacco control fund the lesser of $15,054,500 for fiscal year 2003–04, and the lesser of $15,062,000 for fiscal year 2004–05 and every fiscal year thereafter, or the proceeds of, and investment earnings on, investments of the permanent endowment fund in the prior calendar year. The bill also makes a transfer from the general fund to the tobacco control fund annually, beginning on June 15, 2004, of $15,054,500 for fiscal year 2003–04, and $15,062,000 for fiscal year 2004–05 and every fiscal year thereafter, less the amount transferred by JCF to the tobacco control fund from the permanent endowment fund in that fiscal year.

Under current law, DHFS evaluates grade A dairy operations to certify the compliance rating of the operations to federal agencies, out-of-state markets, DATCP, and local health departments. This bill transfers the certification of grade A dairy operations, and incumbent employees performing the certification, from DHFS to DATCP.

Under current law, the Adolescent Pregnancy Prevention and Pregnancy Services (APPPS) Board is attached to DOA. The board must award not more than $439,300 annually in grants to nonprofit corporations or public agencies to provide adolescent pregnancy prevention programs or pregnancy services that include health care, education, counseling, and vocational training. This bill eliminates the APPPS Board and the grant program.

Under current law, DHFS annually assesses hospitals $1,500,000, in proportion to each hospital’s gross private-pay patient revenues during the hospital’s most recently concluded fiscal year. Of the assessments, 50% is used to maintain a program, commonly known as Wisconcare, to provide primary health care services to unemployed persons or persons employed fewer than 25 hours per week who have no health care coverage, are unable to obtain health care coverage, and have a family income that does not exceed 150% of the federal poverty line. The remaining 50% is used to fund graduate medical education for the training of MA program providers. This bill eliminates the assessments, eliminates the Wisconcare program, and eliminates the funding of graduate medical education for the training of MA providers.
Currently, DHFS provides funding to the Marquette University School of Dentistry to provide dental services in underserved areas and to underserved populations, to inmates of correctional centers in Milwaukee County, and in clinics in the city of Milwaukee. DHFS also annually awards grants for fluoride supplements, fluoride mouth rinses, and, in schools, dental sealants. This bill eliminates this funding and these grants.

Under current law, DHFS must collect, analyze, and disseminate claims information and other health care information from health care providers. This bill eliminates this requirement.

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

Currently, DHFS maintains three state centers for persons with developmental disabilities. This bill permits DHFS to maintain the Northern Center for the Developmentally Disabled, but also authorizes DHFS to sell assets and real property of the Northern Center for the Developmentally Disabled. If any of this property is sold, DHFS must deposit the net proceeds into the budget stabilization fund.

Under current law, the state centers for the developmentally disabled may provide intensive treatment services for up to 50 individuals with developmental disabilities who are also diagnosed as mentally ill or who exhibit extremely aggressive and challenging behaviors. This bill removes the limit on the number of individuals who may be provided intensive treatment services at the state centers for the developmentally disabled. However, the bill conditions receipt of those services on a determination by DHFS that a licensed bed and necessary resources are available and on an agreement between DHFS and the individual’s county of residence concerning a maximum discharge date for the individual. The bill also authorizes DHFS to impose on counties that pay for these services a progressive surcharge of an additional 10% of the amount paid under MA for the intensive treatment services, for any part of the six-month period that an individual receives the services beyond the discharge date agreed upon by DHFS and the individual’s county of residence. For each subsequent six-month period during any part of which the individual receives the services, the surcharge is increased by an additional 10%. From the moneys received under this surcharge, DHFS may pay to counties the costs associated with relocating individuals from state centers for the developmentally disabled.

This bill provides funding in fiscal years 2003–04 and 2004–05 for mental health and alcohol or other drug abuse managed care demonstration projects in up to six counties.

Under current law, DHFS funds competency examinations of criminal defendants in Milwaukee County. This bill limits DHFS funding for competency examinations of criminal defendants to those outpatient competency examinations that are for criminal defendants who are in jails or in locked units of facilities.

OTHER HEALTH AND HUMAN SERVICES

Currently, the Health Insurance Risk–Sharing Plan (HIRSP) provides major medical health insurance coverage for persons who are covered under Medicare because they are disabled, persons who have tested positive for human immunodeficiency virus, and persons who have been refused coverage, or coverage
at an affordable price, in the private health insurance market because of their mental or physical health condition (collectively called eligible persons). Also eligible for coverage are persons who do not currently have health insurance coverage, but who were covered under certain types of health insurance coverage for at least 18 months in the past (eligible individuals).

Under current law, the operating costs of HIRSP are first paid with general purpose revenue and when those funds are exhausted the remainder of the operating costs are paid 60% by premiums paid by persons covered under HIRSP and 40% through insurer assessments and provider discounts, in equal amounts. Premiums for eligible persons with annual household incomes below $25,000, and deductibles for eligible persons with annual household incomes below $20,000, are partially subsidized with more general purpose revenue and, if that is insufficient, with further insurer assessments and provider discounts.

Under this bill, general purpose revenue is no longer used to pay operating costs or premium and deductible subsidies. Operating costs are paid 58% by premiums paid by covered persons, 21% through insurer assessments, and 21% through provider discounts. Premium and deductible subsidies are paid by increasing insurer assessments and by further reducing provider payment rates, in equal amounts. In addition, the bill authorizes DHFS to provide subsidies for prescription drug copayments paid by eligible persons with annual household incomes below $25,000. These subsidies will also be paid equally by insurer assessments and provider payment rate discounts.

HIRSP is administered by DHFS, in conjunction with a plan administrator and a board of governors. Current law provides that the plan administrator is the same fiscal agent with which DHFS contracts to administer MA. This bill eliminates the requirement that the plan administrator be the fiscal agent for MA and provides that the plan administrator may be selected by DHFS in a competitive bidding process.

Under current law, DHFS operates a Retired Senior Volunteers Program (RSVP) to provide volunteer services in a community by persons aged 60 or older. DHFS provides a state supplement to federally funded RSVP units that were in operation on December 1, 1988, and provides an additional supplement to counties and federally-recognized tribal governing bodies for federally and nonfederally funded RSVPs. Persons who volunteer under a RSVP receive transportation assistance and accident and liability insurance coverage during working hours. This bill eliminates the RSVP.

Under current law, DHFS distributes community aids to counties to provide social, mental health, developmental disabilities, and alcohol and other drug abuse services. Community aids funds allocated to a county that are not spent or encumbered by December 31 of each year lapse to the general fund, except that DHFS, at the request of the county, must carry forward to the next year up to 3% of the total amount of community aids allocated to the county for a year. Current law also permits DHFS to carry forward 10% of any community aids funds that are not spent or encumbered by a county by December 31 of each year and that are not otherwise carried forward for emergencies, for services costs above planned levels, and for increased costs due to population shifts.
This bill requires DHFS, at the request of a county, to carry forward to the next year up to 5% of the community aids funds allocated to the county for family support programs for the families of children with disabilities for a year. The bill also permits DHFS to carry forward all other community aids funds allotted for those family support programs that are not spent or encumbered by a county by December 31 of each year and that are not otherwise carried forward for emergencies, for services costs above planned levels, and for increased costs due to population shifts.

Under current law, DWD must distribute child support incentive payments to counties according to a formula worked out between DWD and the counties. The incentive payments come from federal incentive payments made to the state on the basis of successful child support enforcement efforts of DWD and county child support agencies and from certain child support collections assigned to the state by public assistance recipients. The total incentive payments that are paid to all counties in a year may not exceed $12,340,000.

This bill provides that, if the incentive payments received in a year from the federal government exceed $12,340,000, the excess amount will be divided equally between the counties and DWD. Each county's share of one-half of the excess will be determined according to the existing formula. DWD may use its share of any excess incentive payments for activities under its child support enforcement program and for the costs of receiving and disbursing support and support-related payments.

To be eligible for food stamps under current law, a custodial parent of a child who has an absent parent must cooperate with efforts to establish or enforce a support order, if appropriate. Current law also provides that in a number of situations (when, for example, the state provides certain services or benefits on behalf of a child, such as foster care aid or medical assistance) the state is a real party in interest for purposes of establishing paternity or securing future support or reimbursement of aid paid by the state. As a real party in interest, the state may commence an action or join in an action that is already commenced. This bill adds the receipt of food stamp benefits by a custodial parent of a child as another situation in which the state, for the purpose of establishing paternity or securing future support or reimbursement of aid paid, is a real party in interest in an action affecting the family that involves the custodial parent.

This bill provides that, after a diligent effort has been made to ascertain the location of the respondent, notice of an action to revise a child support order may be given in the same manner as notice of an action to enforce a child support order, by delivering written notice of the action to the most recent residential or employer address that the respondent has provided to the county child support agency. Under current law, such notice must be given by personal service.

Under current law, DHFS contracts for activities to augment the amount of moneys received from the federal government under MA. Current law requires DHFS to use the moneys received as a result of these income augmentation activities to pay for the operational costs of those activities and permits DHFS to use the moneys for other purposes if the secretary of administration and JCF, under a 14-day passive review process, approve a plan submitted by DHFS for the proposed
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use of the moneys. This bill requires DHFS to distribute not less than 50% of the federal MA moneys received as a result of income augmentation activities to counties that are participating in the activities for social, mental health, developmental disabilities, and alcohol and other drug abuse services.

INSURANCE

Under current law, certain health care providers are required to carry health care liability insurance with specified liability limits. Damages awarded in a medical malpractice action that exceed the policy limits of the health care liability insurance of a health care provider subject to the health care liability insurance requirements are paid by the patients compensation fund. Money for the fund comes from annual assessments paid by the health care providers subject to the health care liability insurance requirements.

This bill creates the health care provider availability and cost control fund, transfers $200,000,000 from the patients compensation fund to the new fund, and provides for the payment of any medical malpractice award that exceeds the moneys remaining in the patients compensation fund with moneys from the general fund. The new fund may be used to assist in the education and training of health care providers, to ensure that health care providers serving recipients under the Medical Assistance program or other health care programs established by the state receive payment sufficient for their continued participation in these programs, and to defray the cost of other health–related programs. This bill also appropriates money from the new fund for benefits under the Medical Assistance program.

This bill eliminates the requirement that the Commissioner of Insurance and each employee of OCI have a separate public officer’s bond providing $100,000 of coverage.

LOCAL GOVERNMENT

Under current law, shared revenue payments in 2003 and county and municipal aid payments in 2004 are paid entirely from the general fund. Under this bill, of the total amount of shared revenue payments to be distributed in November 2003, $230,000,000 will be paid from the transportation fund, rather than from the general fund. Of the total amount of county and municipal aid payments to be distributed in November 2004, $170,000,000 will be paid from the transportation fund, rather than from the general fund, and $20,000,000 will be paid from the utility public benefits fund, rather than from the general fund.

In general the base for determining the amount of county and municipal aid payments in 2004 is the amount of shared revenue that each county and municipality received in 2003. After DOR determines the base amount for each county and municipality, DOR reduces the payments to each county and municipality by subtracting from the payments an amount based on the county’s or municipality’s population, so that the total amount of all such payments is reduced by $40,000,000.

Under this bill, DOR reduces the shared revenue payments to each county and municipality in 2003 by subtracting from the payments an amount based on the county’s or municipality’s population, so that the total of all such payments is reduced by $10,000,000. In 2004, the base amount for determining county and municipal aid payments is the amount of shared revenue that each county and
municipality received in 2003, disregarding the $10,000,000 reduction. After DOR determines the base amount, DOR reduces the county and municipal aid payments to each county and municipality in 2004 by subtracting from the payments an amount based on the county’s or municipality’s population, so that the total of all such payments is reduced by $50,000,000.

Under the bill, in 2004, after DOR reduces all county and municipal aid payments by $50,000,000, DOR further reduces all such payments to municipalities by subtracting from the payments an amount based on the municipality’s population, so that the total amount of all such payments is reduced by $70,000,000.

Under current law, beginning in 2004, counties and municipalities that agree to consolidate county or municipal services are eligible to receive consolidation incentive payments equal to 75% of the amount that the counties or municipalities save as a result of consolidating services. This bill eliminates consolidation incentive payments.

NATURAL RESOURCES

This bill increases most resident and nonresident hunting and fishing license fees, including small game, deer, Class A and Class B bear, archer, wild turkey, annual fishing, sports, and conservation patron. The bill also increases the fee for Great Lakes trout and salmon stamps and resident trapping licenses.

Current law appropriates to DNR, until July 1, 2003, moneys from the conservation fund for the payment of principal and interest costs incurred in financing land acquisition and development for state forests. This bill appropriates the funds until July 1, 2005, and requires that the fund be used before money in the general fund is used.

Under current law, 50% of the state funding for the removal and disposal of deer killed by motor vehicles is appropriated from the general fund and 50% is appropriated from the conservation fund. Under this bill, 50% is appropriated from the conservation fund and 50% is appropriated from the transportation fund.

RETIREMENT AND GROUP INSURANCE

Under current law, the state must offer to all of its employees at least two insured or uninsured health care coverage plans providing substantially equivalent hospital and medical benefits, including a health maintenance organization or a preferred provider plan. This bill provides that, beginning on January 1, 2004, the state must place each of the plans into one of three tiers established in accordance with standards adopted by the Group Insurance Board (GIB). The tiers must be separated according to the employee’s share of premium costs.

In addition, unless otherwise provided in collective bargaining agreements and the state’s compensation plan, currently the state must pay 90% of the gross premium for the standard health insurance plan offered to state employees by the GIB or 105% of the gross premium of other qualifying health insurance plans offered by GIB. This bill requires the state to pay not less than 80% of the average premium cost of plans offered in the tier with the lowest employee premium cost regardless of the plan selected by the employee, but retains the requirement that these amounts are subject to applicable collective bargaining agreements and the state’s compensation plan.
Currently, unused sick leave accumulated by a state employee may be used to pay health insurance premiums under the state health insurance plan once the employee dies or terminates state employment. Under the program, the employee’s accumulated unused sick leave is converted to credits based on his or her basic pay rate immediately prior to termination. In order to use the credits, for an employee who terminates state employment, the employee must either be immediately eligible for a retirement annuity or have attained 20 years of creditable service under the Wisconsin Retirement System (WRS) and have deferred application for a retirement annuity.

This bill provides that any state employee who has attained 20 years of creditable service and terminates state employment retains his or her sick leave credits even though he or she has not reached the minimum age required to receive a retirement annuity under the WRS. In addition, the bill provides that the sick leave credits are based on the employee’s highest basic pay rate he or she received while employed by the state, not the basic rate the employee received immediately prior to termination.

Under current law, for receipt of a retirement annuity under the WRS, the participant must have attained age 55, or have attained age 50 if the participant is a protective occupation participant, and must be separated from covered employment for a certain period. This bill provides that the participant is not required to be separated if the participant has attained his or her normal retirement date or has attained a combination of age and years of creditable service such that the participant is not subject to an annuity reduction penalty; or the participant has terminated employment with a participating employer and is employed by a different participating employer, as determined under any applicable provision under the Internal Revenue Code.

Currently, under certain conditions, WRS participating employees may purchase creditable service under the WRS that was previously forfeited. In addition, a participating employee may purchase creditable service under the WRS for service performed as an employee of another governmental unit that is not a participating employer under the WRS.

This bill provides for additional ways to purchase creditable service for forfeited service and other governmental service. Under the bill, participating employees may transfer moneys to the employee trust fund to purchase creditable service for forfeited service and other governmental service from tax sheltered annuity plans, governmental deferred compensation plans, and deferred compensation plans offered in the private sector.

STATE GOVERNMENT
STATE EMPLOYMENT

This bill eliminates DER and transfers its powers and duties to DOA. Currently, DER is charged with administering the state civil service system, establishing and maintaining the state’s classification system, crafting the compensation plan for most nonrepresented state employees for submission to the Joint Committee on Employment Relations, establishing procedures for recruitment, selection, appointment, and promotion for classified positions in the
state civil service, developing and maintaining the career executive service, and administering the hazardous employment program.

Under current law, the Personnel Commission hears appeals of state employee position classification decisions, examination scores, appointment decisions, and disciplinary actions taken against employees by their employer (appeals functions). In addition, the Personnel Commission investigates complaints by state employees for discriminatory or retaliatory actions taken by their employers relating to the Fair Employment Act, public employee safety and health protections, the state’s whistle-blower law, the Family and Medical Leave Act, elder abuse reporting contact protections, and health care worker reporting protections (complaints functions). This bill abolishes the Personnel Commission and transfers its appeals functions to the Employment Relations Commission and its complaints functions to the Division of Equal Rights in DWD.

With certain exceptions, this bill transfers all attorney positions in executive branch agencies to DOA effective on October 1, 2003, or on the first day of the third month beginning after the bill is enacted, whichever is later. Attorney positions in DOJ, the Office of the State Public Defender, the PSC, the UW System, the State of Wisconsin Investment Board, the Elections Board, the Ethics Board, DRL, and the Office of the Governor are exempt, as are all state employees working in an office of a district attorney and all positions identified as hearing examiners, hearing officers, or administrative law judges. In addition, the bill retains the chief counsel position in each of 13 major state agencies.

The bill authorizes DOA to provide legal services to executive branch agencies, including the Building Commission.

STATE FINANCE

In 2002, a nonstock corporation organized by the secretary of administration, called Badger Tobacco Asset Securitization Corporation (BTASC), entered into an arrangement with the state to issue bonds secured by payments owed the state under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998. To date, approximately $1,591,000,000 in such bonds have been issued.

This bill creates a program, to be administered by DOA, to purchase any of the outstanding bonds issued by BTASC. Under the bill, funds for the program may not exceed $1,600,000,000. The principal of and interest on the revenue obligations issued by the Building Commission are to be secured by principal and interest payments received from the bonds issued by BTASC and purchased by the state. In addition, the bill contains a moral obligation pledge in which the legislature expresses its expectation and aspiration that, if the BTASC bond principal and interest payments are insufficient to pay the principal of and interest on the revenue obligations issued by the Building Commission, the legislature will make an appropriation from the general fund sufficient to pay the principal of and interest on the obligations. Finally, the bill provides that the remainder of moneys received after the retirement of the bonds, the making of certain payments, and the provision of reserves, are to be equally divided between the tobacco control fund and the general fund.
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Under current law, employers participating in WRS are required to make contributions to fund the retirement benefits provided to WRS participants. Among the contributions that participating employers must make are contributions to pay any unfunded prior service liability resulting, generally, from prior creditable service or benefit improvements retroactively granted to participating employees. Currently, the payment of unfunded prior service liability is amortized as a level percent of payroll over a period of 40 years and is scheduled to be fully paid in 2030.

This bill creates two programs, administered by DOA, to issue revenue obligations to pay the state's unfunded prior service liability under the WRS. Under the first program, the principal and interest costs on the revenue obligations are to be paid from excise taxes that are currently imposed on the sale of liquor, fermented malt beverages, cigarettes, and tobacco products. Funds for the program may not exceed $750,000,000.

Under the second program, DOA may issue appropriation obligations in an amount up to $750,000,000 to pay the state’s unfunded prior service liability. An appropriation obligation is an undertaking by the state to repay a certain amount of borrowed money that is payable from moneys annually appropriated by law for debt service due in that year. The bill provides that an appropriation obligation is not public debt and that the state is only required to repay in debt service costs in each fiscal year an amount that is actually appropriated for debt service costs in that fiscal year. If moneys are not appropriated in any fiscal year for the payment of debt service costs, the state is not obligated to pay the debt service costs incurred in that fiscal year. The bill does contain a moral obligation pledge, however, in which the legislature, recognizing its moral obligation to do so, expresses its expectation and aspiration that it will make timely appropriations from moneys in the general fund sufficient to pay the principal and interest costs on any appropriation obligations that are incurred in any year.

Under current law, the state treasurer performs a number of duties relating to carrying out the state's cash management functions. This bill transfers these duties to DOA.

Under current law, the amount of general purpose revenue that may be appropriated in any fiscal biennium is limited to the amount appropriated in the prior fiscal biennium, adjusted by the annual percentage change in this state's aggregate personal income. Currently, however, the limitation does not apply to an appropriation for principal repayment and interest payments on public debt and other payments relating to public debt; an appropriation to honor a moral obligation pledge; an appropriation contained in a bill that is enacted with the approval of at least two-thirds of the members of each house of the legislature; an appropriation for certain legal expenses and costs; an appropriation for tax relief; an appropriation to make a transfer from the general fund to the budget stabilization fund; or an appropriation to the Higher Educational Aids Board, DPI, or the UW System.

This bill provides that the limitation also does not apply to an appropriation for the 2003–05 fiscal biennium to make aid payments to counties and municipalities.

Under current law, the Board of Commissioners of Public Lands (BCPL) may invest moneys in the common school fund, the normal school fund, the university
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fund and the agricultural college fund (collectively, the trust funds) in certain specified investments. These include bonds or notes of the United States; bonds issued by this state or the UW Hospitals and Clinics Authority; and bonds issued by a town, village, city, county, or school district or certain other special districts in the state.

This bill authorizes BCPL to delegate to the Investment Board the authority to invest part or all of the moneys in the trust funds. Under the bill, if BCPL delegates the authority, the Investment Board may invest the moneys in the trust funds in any manner authorized for the investment of other funds under the control of the Investment Board.

The bill also authorizes BCPL, at the governor’s request, to invest moneys in the trust funds in the purchase of land in this state. A condition on the purchase of this land, however, is that BCPL must determine that the purchase of the land will reduce the per acre costs incurred by BCPL in managing the public lands and all other lands managed by BCPL.

Current statutes contain a rule of procedure which provides that no bill directly or indirectly affecting general purpose revenues may be adopted if the bill would cause the estimated general fund balance on June 30 of any fiscal year to be an amount equal to less than a certain percentage of the total general purpose revenue appropriations for that fiscal year. For fiscal year 2003–04, the amount is 1.6%; for fiscal year 2004–05, the amount is 1.8%; and for fiscal year 2005–06 and each year thereafter, the amount is 2%.

This bill requires the secretary of administration, by January 1, 2004, to estimate the total amount that will be deposited into the Medical Assistance (MA) trust fund for fiscal year 2003–04. The MA general purpose revenues appropriation is reduced by that portion of the total amount that the secretary estimates will exceed $550,000,000. The secretary must perform the same estimate, by January 1, 2005, for fiscal year 2004–05, and the MA general purpose revenues appropriation is reduced by that portion of the total amount that the secretary estimates will exceed $80,000,000. The bill modifies the required general fund balance for fiscal year 2003–04 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or $35,000,000, whichever is greater; modifies the required general fund balance for 2004–05 to be the amount by which the MA general purpose revenues appropriation is reduced for that fiscal year, or $40,000,000, whichever is greater; and modifies the required general fund balance for 2005–06 to be $75,000,000. Lastly, the bill increases the MA trust fund for fiscal years 2003–04 and 2004–05 by the amount of the reduction to the MA general purpose revenues appropriation for each of those fiscal years.

Current law requires that moneys in the bond security and redemption fund may only be invested in direct obligations of the United States. The bill expands the investment options for moneys in this fund to include securities issued by the United States, or one of its agencies, and securities fully guaranteed by the United States.

This bill makes a number of transfers from segregated funds to the general fund, including the following:
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1. The bill transfers from the transportation fund to the general fund $15,000,000 in each fiscal year of the 2003−05 fiscal biennium.

2. The bill transfers from the veterans mortgage loan repayment fund to the general fund $900,300 in each fiscal year of the 2003−05 fiscal biennium.

3. The bill transfers to the general fund $83,600 from the patients compensation fund, $75,100 from the local government property insurance fund, and $59,500 from the state life insurance fund in each fiscal year of the 2003−05 fiscal biennium.

4. The bill transfers $2,118,500 in fiscal year 2003−04 and $3,118,500 in fiscal year 2004−05 from the environmental fund to the general fund.

5. The bill transfers $3,158,100 in fiscal year 2003−04 and $158,100 in fiscal year 2004−05 from the recycling fund to the general fund.

6. The bill transfers from the petroleum inspection fund to the general fund $1,657,400 in each fiscal year of the 2003−05 fiscal biennium.

7. The bill transfers $2,055,000 from the tobacco control fund to the general fund on July 1, 2004.

OTHER STATE GOVERNMENT

Under current law, DATCP administers most consumer protection and trade practice laws. This bill transfers all of the administrative authority for certain of these laws, including laws relating to ticket refunds, fraudulent representations, methods of competition and trade practices, cable television subscriber rights, product safety, future services plans, landlord and tenant, and time−share ownership, to DOJ. It also transfers the authority to bring a court action to enforce these laws to DOJ or to DOJ jointly with the appropriate district attorney. Although the bill does not affect DATCP’s authority to administer other laws, including laws relating to unfair trade practices in the dairy industry, discrimination in the purchase of milk, and unfair trade practices in the procurement of vegetable crops it requires DOJ to furnish legal services to DATCP relating to their enforcement.

Under current law, if a court imposes a fine or forfeiture for a violation of certain consumer protection laws or the laws regulating weights and measures, the court is required to impose an additional consumer protection assessment. The assessments, up to a certain limit, are available for expenditure by DATCP for consumer protection and consumer information and education. Under the bill, most of these consumer protection assessments are available for expenditure by DOJ, rather than DATCP. The bill also requires the imposition of the consumer protection assessment for fines or forfeitures resulting from the violation of the laws prohibiting the creation of monopolies and the unfair and discriminatory business practices that hamper competition.

The bill also changes the name of DATCP to the Department of Agriculture, Trade, and Rural Resources.

This bill eliminates DEG and transfers its functions to DOA. The bill also deletes the exemption of the UW System from certain laws affecting telecommunications procurement procedures.

Under current law, the Land Information Board is abolished effective on September 1, 2003. This bill changes this expiration date to September 1, 2005. The
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bill also changes the date on which certain land recording fees are reduced from September 1, 2003 to September 1, 2005.

This bill extends the sunset date for the Wisconsin Land Council, which is attached to DOA, from August 31, 2003 to September 1, 2005.

This bill increases the fee imposed by DOJ for a fingerprint card record check from $10 to $15. It also requires DOJ to impose a $5 surcharge whenever a person requesting a criminal background check, other than for criminal justice purposes or in connection with the sale of a handgun, asks for a paper copy of the results of the background check.

This bill directs the secretary of administration, by July 1, 2004, to review all holdings of state-owned real or personal property, except facilities or institutions the sale or closure of which is not authorized by law, for sale or lease. The bill also provides for the net proceeds of property sales and leases by the Building Commission and the net proceeds of certain sales of property by DOA to be deposited in the budget stabilization fund.

Under current law, the Tax Appeals Commission is the final administrative authority for the hearing and determination of most tax-related matters arising in this state. This bill eliminates the Tax Appeals Commission and replaces it with the Office of the Commissioner of Tax Appeals.

This bill prohibits all state agencies and authorities from entering into a contract or order for the purchase of materials, supplies, equipment, or contractual services with any person if the secretary of revenue determines that the person or an affiliate of the person refuses to collect and remit sales and use taxes on its sales delivered to this state. Currently, there is no such prohibition.

TAXATION

Under current law, for local general property tax purposes, DOR identifies and assesses all manufacturing property located in this state and reports the value of such assessments to the municipalities in which manufacturing property is located. Under this bill, for local general property tax purposes, each taxation district identifies and assesses all manufacturing property located in the the taxation district.

TRANSPORTATION

HIGHWAYS

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed $1,753,067,500. A major highway project is a project having a total cost of more than $5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes at least five miles in length to the highway; or improvement of an existing multilane divided highway to freeway standards. However, under current law, the Marquette interchange reconstruction project, lying at or near the junction of I 94, I 43, and I 794, in Milwaukee County, is not classified as a major highway project.

This bill increases the revenue bond limit from $1,753,067,500 to $2,916,403,000. The bill also provides that revenue bond proceeds may be expended
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for state highway rehabilitation projects, which are generally projects not qualifying as major highway projects that involve reconditioning, reconstruction, or resurfacing of highways on the state trunk system and connecting highways. Additionally, the bill provides that revenue bond proceeds may be expended for the Marquette interchange reconstruction project.

Under current law, state funds appropriated from the transportation fund for state highway rehabilitation and state and federal funds appropriated from the transportation fund for the rehabilitation of southeast Wisconsin freeways, including the Marquette interchange reconstruction project, may not be used for the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems unless incidental to the improvement of existing state trunk and connecting highways or the rehabilitation of southeast Wisconsin freeways. This bill eliminates this prohibition.

Under current law, DOT must award grants totaling $10,000,000 to the city of Milwaukee to fund the reconstruction of West Canal Street in the city of Milwaukee if the city contributes $10,000,000 toward the project. This bill permits the use of these funds for the extension of West Canal Street to USH 41 at Miller Park in the city of Milwaukee.

The federal Highway Beautification Act requires states to restrict advertising along interstate and federal-aid (primary) highways. Current state law prohibits, with certain exceptions, the erection or maintenance of outdoor advertising signs within 660 feet of, or beyond 660 feet but visible (and erected for the purpose of being visible) from, the main-traveled way of an interstate or primary highway.

Also under current law, DOT administers a Scenic Byways Program, under which DOT may designate as “scenic byways” highways that have outstanding scenic, historic, cultural, natural, recreational, or archeological qualities. This bill changes the definition of primary highway to conform to federal law and imposes additional restrictions on advertising along interstate and primary highways designated as state scenic byways to conform to federal law.

**Drivers and motor vehicles**

Under current law, a person may not operate a motor vehicle if he or she has an alcohol concentration of 0.1 or more and has not more than one conviction relating to operating a motor vehicle with a prohibited alcohol concentration. A person who has two convictions relating to operating a motor vehicle with a prohibited alcohol concentration may not operate a motor vehicle if he or she has an alcohol concentration of 0.08 or more, and a person who has three or more convictions relating to operating a motor vehicle with a prohibited alcohol concentration may not operate a motor vehicle if he or she has an alcohol concentration of 0.02 or more.

This bill changes the prohibited alcohol concentration from 0.1 to 0.08 for a person with one or no prior convictions relating to operating a motor vehicle with a prohibited alcohol concentration.

Under current law, the owner of a vehicle who applies for a first certificate of title or for a new certificate of title after transfer of a vehicle must pay an application
fee of $8.50. With certain exceptions, DOT also charges an annual vehicle registration fee of $45 per automobile.

Under this bill, the application fee for a first certificate of title or for a certificate of title after transfer of a vehicle is $18.50, and the annual registration fee for an automobile is $55.

Under current law, a person must pay an environmental impact fee of $9 upon registering a new motor vehicle with DOT or upon applying for a new certificate of title following a transfer of a vehicle. The environmental impact fees are credited to the environmental fund and are earmarked for environmental management activities. The fee expires on December 31, 2003. This bill increases the fee to $10.50 and eliminates the expiration date.

DOT currently administers a classified driver license system to implement the requirements of the Federal Commercial Motor Vehicle Safety Act of 1986. Under current law, DOT must disqualify a commercial motor vehicle (CMV) operator who commits a major traffic–related offense or another serious traffic violation. This bill makes changes to the classified driver license system that are required by the Federal Motor Carrier Safety Improvement Act of 1999. These changes become effective on September 30, 2005, and include:

1. Creating two new major traffic–related offenses and three new serious traffic violations.
2. Requiring disqualification of commercial driver license (CDL) privileges for certain offenses committed while operating a nonCMV as well as a CMV.
3. Prohibiting the issuance of an occupational license authorizing the operation of a CMV.
4. Requiring operators of school buses that are CMVs to maintain a CDL “S” endorsement, which may only be issued by DOT after the operator passes a knowledge and driving skills test.
5. Requiring DOT to maintain detailed records of actions taken against persons holding CDLs and persons operating CMVs without a CDL, and of convictions of such persons for offenses committed in both CMVs and nonCMVs.

Under current law, the fee for most permits to operate upon a highway a vehicle or combination of vehicles that exceeds certain statutory limits on size, weight, or load are 10% higher than the usual rates for the period beginning on January 1, 2000, and ending on June 30, 2003. This bill delays the sunset date of the permit fee increases from June 30, 2003, to June 30, 2005.

Current law requires DOT to conduct a motor vehicle emission inspection program in counties in which the air quality does not meet certain federal standards. This bill appropriates money from the petroleum inspection fund to pay the costs of administering the program, including contracting for emission inspections.

TRANSPORTATION AIDS

Under current law, DOT makes general transportation aids payments to a county based on a share–of–costs formula, and to a village, city, or town (municipality) based on the greater of a share–of–costs formula for municipalities or an aid rate per mile, which is $1,825 for 2003 and thereafter. This bill increases the aid rate per mile to $1,871 for 2004 and $1,917 for 2005 and thereafter.
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This bill increases the maximum amount of general transportation aids that may be paid to counties from $90,044,600 in 2003 to $92,295,700 in 2004 and $94,603,100 in 2005 and thereafter. The bill also increases the maximum amount of aid that may be paid to municipalities from $283,291,100 in 2003 to $290,373,400 in 2004 and $297,632,700 in 2005 and thereafter.

Under current law, DOT provides state aid, for each of four classes of mass transit systems, to local public bodies in urban areas served by mass transit systems to assist with the expenses of operating those systems. This bill increases the total amount of state aid to each class of mass transit system.

RAIL AND AIR TRANSPORTATION

This bill eliminates the Office of the Commissioner of Railroads and provides for the elimination and transfer of its functions as follows:

1. The office is currently authorized to regulate railroads to prevent “unreasonable or unjustly discriminatory” rates and inadequate services within the state and to require a finding of “public convenience and necessity” before constructing any new track. The bill eliminates this authority.

2. Under current law, the office may order railroads to install protective devices at crossings where a railroad intersects a street or another railroad. The bill transfers this authority to DOT and authorizes DOT to issue orders in these matters without a hearing, based on investigation and application of safety, programming, and cost allocation criteria promulgated by rule. The bill provides for review of DOT orders in these matters by the Division of Hearings and Appeals (division) in DOA.

3. Regulatory functions currently assigned to the office and not eliminated in the bill are transferred to DOT, and functions having the character of contested case resolution are transferred to the division.

This bill authorizes DOT to award grants to municipalities and specified political subdivisions for certain activities and capital costs related to the development or extension of commuter rail transit systems. Construction or expansion of a commuter rail transit system costing more than $5,000,000 may not be undertaken using state funds unless the project is specifically enumerated by statute.

This bill increases the authorized general obligation bonding limit for the acquisition and improvement by DOT of rail property from $28,000,000 to $32,500,000.

OTHER TRANSPORTATION

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities. DOT may deposit in a trust fund vehicle registration fee revenues pledged for the repayment of these revenue bonds. Moneys pledged in excess of the amount needed for repayment of these revenue bonds are transferred back to the transportation fund, free of any pledge.

This bill allows DOT to deposit in a special fund revenues from titling fees, personalized plate fees, fast service fees, counter service fees, late registration fees, and special plate fees pledged for the repayment of revenue bonds in the same manner as is allowed for vehicle registration fee revenues.
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Under current law, DOT accepts credit card payments by telephone or Internet for registration renewals for automobiles, light trucks, and motorcycles. This bill allows DOT to accept credit card payments by telephone or Internet usage for oversize or overweight vehicle permits.

This bill increases the authorized general obligation bonding limit for grants awarded by DOT for harbor improvements from $25,000,000 to $28,000,000.

**VETERANS AND MILITARY AFFAIRS**

Under current law, the state reimburses a veteran for tuition and fees upon satisfactory completion of a full-time undergraduate semester in any institution of higher education or school approved by the DVA or by the Educational Approval Board (EAB) if the veteran completes the course within 10 years after separation from the armed services. This bill allows the veteran to be reimbursed if he or she starts the course within 10 years after separation from the armed services.

Currently, EAB inspects and approves private trade, correspondence, business, and technical schools to protect the students, prevent fraud, and encourage accepted educational standards at these schools. These schools are required to pay fees sufficient to cover the costs of EAB examining and approving their operation in the state.

This bill requires EAB to collect a fee from these schools to cover the losses that students, parents, or sponsors incur if a school closes unexpectedly and to use the collected fees to pay all or part of the losses incurred by students, parents, or sponsors.

This bill allows DVA to provide stipends to individuals to attend school and receive the necessary credentials to become employed at a Wisconsin veterans facility.

Currently, members of the Wisconsin National Guard, except officers and members with baccalaureate degrees, are eligible for tuition grants for reimbursement of college or technical college tuition. The grant is equal to the lesser of the actual tuition charged or the maximum resident undergraduate tuition charged by the UW–Madison for a comparable number of credits.

This bill limits the amount of the tuition grant reimbursement to the lesser of the actual tuition charged or the average resident undergraduate tuition charged by the UW System for a comparable number of credits. The qualifying schools are expanded to include public institutions of higher education under the Minnesota–Wisconsin student reciprocity agreement or under an interstate agreement that the Educational Communications Board approves.

This bill requires the adjutant general to cooperate with the federal government in the operation and maintenance of distance learning centers for the use of current and former members of the national guard and the U.S. armed forces. The bill permits the adjutant general to charge rent for nonmilitary or nonfederal users of the centers.

This bill will be referred to the Joint Survey Committee on Retirement Systems for a detailed analysis, which will be printed as an appendix to this bill.
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Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 5.05 (11) of the statutes is created to read:

5.05 (11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriation under s. 20.510 (1) (x), the board may provide financial assistance to eligible counties and municipalities for election administration costs.

SECTION 2. 7.31 (5) of the statutes is amended to read:

7.31 (5) The board shall conduct regular training and administer examinations to ensure that individuals who are certified by the board under this section are knowledgeable concerning their authority and responsibilities. The board shall pay all costs required to conduct the training and to administer the examinations from the appropriation under s. 20.510 (1) (bm) and (jm).

SECTION 3. 7.31 (6) of the statutes is created to read:

7.31 (6) The board may assess municipalities for costs incurred by the board in conducting the training and certification program under this section. The amount assessed to any municipality may not exceed the costs incurred by the board that are attributable to that municipality. The board shall credit any moneys received under this subsection to the appropriation under s. 20.510 (1) (jm).

SECTION 4. 7.33 (4) and (5) of the statutes are amended to read:

7.33 (4) Except as otherwise provided in this subsection, each local governmental unit, as defined in s. 22.01 16.97 (7), may, and each state agency shall,
upon proper application under sub. (3), permit each of its employees to serve as an election official without loss of fringe benefits or seniority privileges earned for scheduled working hours during the period specified in sub. (3), without loss of pay for scheduled working hours during the period specified in sub. (3) except as provided in sub. (5), and without any other penalty. For employees who are included in a collective bargaining unit for which a representative is recognized or certified under subch. V of ch. 111, this subsection shall apply unless otherwise provided in a collective bargaining agreement.

(5) Any employee of a local governmental unit, as defined in s. 22.01 16.97 (7), or state agency who obtains a paid leave of absence under sub. (4) in order to serve as an election official under s. 7.30 shall certify in writing to the head of the local governmental unit or state agency by which he or she is employed the amount of compensation that the employee receives for such service. Upon receipt of the certification, the head of the local governmental unit or state agency shall deduct that amount from the employee’s pay earned for scheduled working hours during the period specified in sub. (2) when the employee is on a paid leave of absence.

SECTION 5. 13.099 (1) (a) and (b) of the statutes are amended to read:

13.099 (1) (a) “Department” means the department of administration commerce.

(b) “State housing strategy plan” means the plan developed under s. 16.31 560.9802.

SECTION 6. 13.0999 (2) (a) of the statutes is amended to read:

13.0999 (2) (a) If any bill that is introduced in either house of the legislature directly or substantially affects the development, construction, cost or availability of housing in this state, the department, through the division of housing, shall prepare
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Section 6

1 a report on the bill within 30 days after it is introduced. The department may request
2 any information from other state agencies, local governments or individuals or
3 organizations that is reasonably necessary for the department to prepare the report.

Section 7. 13.0999 (3) (a) 5. of the statutes is amended to read:

13.0999 (3) (a) 5. Housing costs, as defined in s. 16.30 560.9801 (3) (a) and (b).

Section 8. 13.101 (6) (a) of the statutes is amended to read:

13.101 (6) (a) As an emergency measure necessitated by decreased state
revenues and to prevent the necessity for a state tax on general property, the
committee may reduce any appropriation made to any board, commission,
department, or the University of Wisconsin System, or to any other state agency or
activity, by such amount as it deems feasible, not exceeding 25% of the
appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
(cr), and (r), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and
(6) (aq), (ar), and (at), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for
forestry purposes under s. 20.370 (1), or any other moneys distributed to any county,
city, village, town, or school district. Appropriations of receipts and of a sum
sufficient shall for the purposes of this section be regarded as equivalent to the
amounts expended under such appropriations in the prior fiscal year which ended
June 30. All functions of said state agencies shall be continued in an efficient
manner, but because of the uncertainties of the existing situation no public funds
should be expended or obligations incurred unless there shall be adequate revenues
to meet the expenditures therefor. For such reason the committee may make
reductions of such appropriations as in its judgment will secure sound financial
operations of the administration for said state agencies and at the same time
interfere least with their services and activities.
SECTION 9. 13.101 (14) of the statutes is amended to read:

13.101 (14) With the concurrence of the joint committee on information policy and technology, direct the department of electronic government administration to report to the committee concerning any specific information technology system project in accordance with s. 13.58 (5) (b) 4.

SECTION 10. 13.101 (16) (b) of the statutes is amended to read:

13.101 (16) (b) Annually, on June 15, beginning in 2004, the committee shall transfer from the permanent endowment fund to the tobacco control fund the lesser of $25,000,000 $15,054,500 for fiscal year 2003–04, and the lesser of $15,062,000 for fiscal year 2004–05 and every fiscal year thereafter, or the proceeds of, and investment earnings on, investments of the permanent endowment fund in the prior calendar year.

SECTION 11. 13.121 (1) of the statutes is amended to read:

13.121 (1) CURRENT MEMBER. From the appropriation under s. 20.765 (1) (a) or (b) or (5), each member of the legislature shall be paid, in equal installments, the salary provided under s. 20.923.

SECTION 12. 13.121 (4) of the statutes is amended to read:

13.121 (4) INSURANCE. For the purpose of premium determinations under s. 40.05 (4) and (5) each member of the legislature shall accrue sick leave at a rate equivalent to a percentage of time worked recommended for such positions by the secretary of employment relations administration and approved by the joint committee on employment relations in the same manner as compensation for such positions is determined under s. 20.923. This percentage of time worked shall be applied to the sick leave accrual rate established under s. 230.35 (2). The approved percentage shall be incorporated into the compensation plan under s. 230.12 (1).
SECTION 13. 13.123 (1) (a) 1. of the statutes is amended to read:

13.123 (1) (a) 1. Any member of the legislature who has signified, by affidavit filed with the department of administration, the necessity of establishing a temporary residence at the state capital for the period of any regular or special legislative session shall be entitled to an allowance for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business, but not including any Saturday or Sunday unless the legislator is in actual attendance on such day at a session of the legislature or a meeting of a standing committee of which the legislator is a member. The amount of the allowance for each biennial session shall be 90% of the per diem rate for travel for federal government business within the city of Madison, as established by the federal general services administration. For the purpose of determining the amount of the allowance, the secretary of employment relations administration shall certify to the chief clerk of each house the federal per diem rate in effect on December 1, or the first business day thereafter if December 1 is not a business day, in each even-numbered year. Each legislator shall file an affidavit with the chief clerk of his or her house certifying the specific dollar amount within the authorized allowance the member wishes to receive. Such affidavit, when filed, shall remain in effect for the biennial session.

SECTION 14. 13.123 (1) (c) of the statutes is amended to read:

13.123 (1) (c) Each member shall certify to the chief clerk of the house in which the member serves, as promptly as may be following the 1st of each month, the number of days during the previous calendar month on which the member was in Madison on legislative business and for which the member seeks the allowance provided by this subsection. Such allowances shall be paid from the appropriation under s. 20.765 (1) (a) or (b) or (5) within one week after each calendar month; and
shall be paid, upon the filing with the department of administration, the chief clerk's affidavit stating the number of days in Madison on legislative business for all members of the chief clerk's house.

**SECTION 15.** 13.123 (2) (intro.) of the statutes is amended to read:

13.123 (2) **INTERIM EXPENSES.** (intro.) From the appropriation under s. 20.765 (1) (a) or (b) or (5), each member of the legislature shall be entitled to an expense allowance for postage and clerical assistance for each full calendar month during which the legislature is in actual session 3 days or less. No allowance is payable to a representative to the assembly unless the speaker of the assembly files with the chief clerk of the assembly a written authorization for the allowance to be paid. No allowance is payable to a senator unless the majority leader of the senate files with the chief clerk of the senate a written authorization for the allowance to be paid. An authorization filed under this subsection becomes effective for the month in which it is filed and continues in effect through the month in which the speaker of the assembly or the majority leader of the senate files a written revocation of the authorization with the chief clerk of the appropriate house. The rate of such allowance shall be as follows:

**SECTION 16.** 13.123 (3) (a) of the statutes is amended to read:

13.123 (3) (a) Any senator authorized by the committee on senate organization to attend a meeting outside the state capital, any representative to the assembly authorized by the committee on assembly organization to attend an out-of-state meeting or authorized by the speaker to attend a meeting within this state outside the state capital, and all members of the legislature required by law, legislative rule, resolution or joint resolution to attend such meetings, shall be paid no additional compensation for such services but shall be reimbursed for actual and necessary
expenses from the appropriation under s. 20.765 (1) (a) or (b) or (5), but no legislator may be reimbursed under this subsection for expenses on any day for which the legislator submits a claim under sub. (1).

**SECTION 17.** 13.125 of the statutes is amended to read:

**13.125 Chaplains.** The officiating chaplain of the senate and assembly shall be paid such amount as may be established by each house for each day of service from the appropriation under s. 20.765 (1) (a) or (b) or (5). Payment shall be made on certification by the chief clerk of the senate or of the assembly, respectively, showing the amount to which each chaplain is entitled.

**SECTION 18.** 13.14 (2) of the statutes is amended to read:

**13.14 (2) FLORAL PIECES.** The senate and assembly may procure floral pieces for deceased or ill members of the legislature and state officers who, in the judgment of the presiding officer and chief clerk, have been identified with the legislative process. Such expenses shall be by voucher, signed by the presiding officer or chief clerk of the respective house, and shall be drawn on the appropriation under s. 20.765 (1) (a) or (b) or (5).

**SECTION 19.** 13.14 (3) of the statutes is amended to read:

**13.14 (3) TRAVEL; LEGISLATIVE PERSONNEL.** The actual and necessary expenses of legislative policy research personnel, assistants to legislators, and research staff assigned to legislative committees incident to attending meetings outside the state capital shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) or (5).

**SECTION 20.** 13.20 (2) of the statutes is amended to read:

**13.20 (2) PAY RANGES; DURATION OF EMPLOYMENT.** All legislative employees shall be paid in accordance with the compensation and classification plan for employees
in the classified civil service within ranges approved by the joint committee on legislative organization. The secretary of employment relations administration shall make recommendations concerning a compensation and classification schedule for legislative employees if requested to do so by the joint committee on legislative organization or by the committee on organization of either house. If the joint committee does not approve pay ranges for legislative employees, the committee on organization of either house may approve pay ranges for its employees. Appointments shall be made for the legislative session, unless earlier terminated by the appointing officer.

**SECTION 21.** 13.40 (3) (b) of the statutes is amended to read:

13.40 (3) (b) An appropriation to honor a moral obligation undertaken pursuant to ss. 16.523 (8), 16.526 (8), 16.527 (10), 18.61 (5), 85.25 (5), 101.143 (9m) (i), 229.50 (7), 229.74 (7), 229.830 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b), 234.626 (7), 234.93 (6), 234.932 (6), 234.933 (6), and 281.59 (13m).

**SECTION 22.** 13.40 (3) (fm) of the statutes is created to read:

13.40 (3) (fm) An appropriation for the 2003-05 fiscal biennium to make payments to counties, towns, villages, and cities under ss. 79.035 and 79.036.

**SECTION 23.** 13.40 (3) (i) 1. of the statutes is repealed.

**SECTION 24.** 13.45 (3) (a) of the statutes is amended to read:

13.45 (3) (a) For any day for which the legislator does not file a claim under s. 13.123 (1), any legislator appointed to serve on a legislative committee or a committee to which the legislator was appointed by either house or the officers thereof shall be reimbursed from the appropriations under s. 20.765 (1) (a) or (b) or (5) for actual and necessary expenses incurred as a member of the committee.

**SECTION 25.** 13.48 (2) (j) of the statutes is amended to read:
13.48 (2) (j) No later than the first day of the 7th month after the effective date of each biennial budget act, the secretary of employment relations administration shall report to the building commission, in writing, regarding the desirability of including plans for day care facility space in the plans for any construction or major remodeling project, enumerated in the state building program in the biennial budget act, for any state office building. Based upon the report of the secretary of employment relations administration, the building commission may direct that plans for day care facility space be included in the plans for that construction or major remodeling project.

Section 26. 13.48 (14) (c) of the statutes is amended to read:

13.48 (14) (c) If there is any outstanding public debt used to finance the acquisition of a building, structure or land or the construction of a building or structure that is sold or leased under par. (b), the building commission shall deposit a sufficient amount of the net proceeds from the sale or lease of the building, structure or land in the bond security and redemption fund under s. 18.09 to repay the principal and pay the interest on the debt, and any premium due upon refunding any of that debt. If there is no such debt outstanding, or, if the net proceeds exceed the amount required to repay that principal and pay that interest and premium, the building commission shall credit the net proceeds or remaining net proceeds to in the appropriation account under s. 20.865 (4) (a) budget stabilization fund.

Section 27. 13.50 (6) (am) of the statutes is amended to read:

13.50 (6) (am) The cochairpersons of the joint survey committee on retirement systems or the cochairpersons of the joint committee on finance, with respect to any bill or amendment specified in par. (a), or the presiding officer of either house of the legislature, with respect to any bill or amendment specified in par. (a) that is pending
in his or her house, may make a determination, based on any available information,
that the bill or amendment may have a significant fiscal impact on the costs,
actuarial balance or goals of the Wisconsin Retirement System and order the attachment of an independent actuarial opinion on such impact. The cochairpersons or presiding officer ordering such an opinion shall direct the staff under sub. (4) to obtain the opinion. The staff shall make payment for the opinion from the appropriation under s. 20.765 (2) (ab) or (5).

**SECTION 28.** 13.51 (2) (b) of the statutes is amended to read:

13.51 (2) (b) The secretary of employment relations or the secretary’s designee.

**SECTION 29.** 13.56 (2) of the statutes is amended to read:

13.56 (2) Participation in certain proceedings. The cochairpersons of the joint committee for review of administrative rules or their designated agents shall accept service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that the legislature should be represented in the proceeding, it shall request the joint committee on legislative organization to designate the legislature's representative for the proceeding. The costs of participation in the proceeding shall be paid equally from the appropriations under s. 20.765 (1) (a) and (b) or shall be paid from the appropriation under s. 20.765 (5), if applicable, except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

**SECTION 30.** 13.57 (3) of the statutes is amended to read:

13.57 (3) All expenses under sub. (1) shall be reimbursed from the appropriation under s. 20.765 (1) (a) or (b) or (5).

**SECTION 31.** 13.58 (5) (a) 5. of the statutes is amended to read:
13.58 (5) (a) 5. Upon receipt of strategic plans from the department of electronic
government administration, the joint committee on legislative organization and the
director of state courts, review and transmit comments concerning the plans to the
entities submitting the plans.

**SECTION 32.** 13.58 (5) (b) 1. of the statutes is amended to read:

13.58 (5) (b) 1. Direct the department of electronic government administration
to conduct studies or prepare reports on items related to the committee's duties under
par. (a).

**SECTION 33.** 13.58 (5) (b) 4. (intro.) of the statutes is amended to read:

13.58 (5) (b) 4. (intro.) With the concurrence of the joint committee on finance,
direct the department of electronic government administration to report
semiannually to the committee and the joint committee on finance concerning any
specific information technology system project which is being designed, developed,
tested or implemented and which the committees anticipate will have a total cost to
the state exceeding $1,000,000 in the current or any succeeding fiscal biennium. The
report shall include all of the following:

**SECTION 34.** 13.81 (6) of the statutes is amended to read:

13.81 (6) REIMBURSEMENT FOR SPECIAL STUDIES. At the end of each fiscal year,
the general fund shall be reimbursed, from any other state fund, the amounts
actually expended by the joint legislative council under s. 20.765 (3) (e) or (5) for the
cost of making and publishing surveys and analyses of activities and policies related
to such funds. The council shall bill such state funds at the end of each fiscal year
for the costs so incurred, in accordance with cost records maintained by the council.

**SECTION 35.** 13.81 (8) of the statutes is amended to read:
13.81 (8) Conference on Legislative Procedures. Following each general election, the joint legislative council shall sponsor a conference to acquaint new legislators or legislators-elect with legislative procedures. Expenses for the conference shall be paid from the appropriation under s. 20.765 (3) (e) or (5).

Section 36. 13.83 (3) (c) 1. of the statutes is amended to read:

13.83 (3) (c) 1. The joint legislative council shall pay the expenses incurred by the members appointed under par. (b) 1., in performing their functions on the special committee, from the appropriation under s. 20.765 (3) (e) or (5).

Section 37. 13.90 (2) of the statutes is amended to read:

13.90 (2) The cochairpersons of the joint committee on legislative organization or their designated agent shall accept service made under s. 806.04 (11). If the committee, the senate organization committee or the assembly organization committee, determines that the legislature should be represented in the proceeding, that committee shall designate the legislature’s representative for the proceeding. The costs of participation in the proceeding shall be paid equally from the appropriations under s. 20.765 (1) (a) and (b) or shall be paid from the appropriation under s. 20.765 (5), if applicable, except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

Section 38. 13.90 (4) of the statutes is amended to read:

13.90 (4) The cochairpersons of the joint committee on legislative organization shall authorize payment of fees entitling the legislature to membership in national organizations from the appropriation under s. 20.765 (3) (fa) or (5).

Section 39. 13.90 (6) of the statutes is amended to read:

13.90 (6) The joint committee on legislative organization shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information
policy and technology, the governor and the chief information officer secretary of administration, no later than September 15 of each even-numbered year, a strategic plan for the utilization of information technology to carry out the functions of the legislature and legislative service agencies, as defined in s. 16.70 (6). The plan shall address the business needs of the legislature and legislative service agencies and shall identify all resources relating to information technology which the legislature and legislative service agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also identify any changes in the functioning of the legislature and legislative service agencies under the plan.

SECTION 40. 13.92 (1) (b) 1. b. of the statutes is amended to read:

13.92 (1) (b) 1. b. Any agency, as defined in s. 16.70 (1) (1e), created under ch. 13, 14, 15, or 758.

SECTION 41. 13.92 (3) of the statutes is amended to read:

13.92 (3) TREATMENT OF CERTAIN LEGISLATIVE REFERENCE BUREAU EMPLOYEES. Notwithstanding s. 230.08 (2) (fc), those employees holding positions in the classified service at the legislative reference bureau on June 16, 1998, who have achieved permanent status in class before that date, shall retain, while serving in the unclassified service at the legislative reference bureau, those protections afforded employees in the classified service under ss. 230.34 (1) (a) (ah) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff or reduction in base pay. Such employees shall also have reinstatement privileges to the classified service as provided under s. 230.33 (1). Those employees of the legislative reference bureau holding positions in the classified service on June 16, 1998, who have not achieved permanent status in class in any position at the legislative reference bureau on that
date are eligible to receive the protections, privileges and rights preserved under this
subsection if they successfully complete service equivalent to the probationary
period required in the classified service for the position which they hold on that date.

SECTION 42. 13.93 (2) (h) of the statutes is amended to read:

13.93 (2) (h) Approve specifications and scheduling for computer databases
containing the Wisconsin statutes and for the printing of the Wisconsin statutes as
prescribed in ss. 22.03 16.971 (6) and 35.56 (5).

SECTION 43. 13.93 (2) (k) of the statutes is amended to read:

13.93 (2) (k) Pay, from the appropriation under s. 20.766 (3) (a) or (5), the
expenses of attendance at meetings of members of the Commission on Uniform State
Laws who are appointed by the governor.

SECTION 44. 13.94 (1) (a) of the statutes is amended to read:

13.94 (1) (a) Audit the books and accounts of the treasurer, the moneys on hand
in the treasury and all bonds and securities belonging to all public funds on deposit
in the treasury or properly accounted for by the treasurer secretary of
administration, at least every 2 years; and report the result of such examination in
writing to the governor and the joint committee on finance, specifying therein
particularly the amount and kind of funds and of all such bonds and securities. The
bureau shall transmit a certified copy of such report to the outgoing treasurer and
successor secretary of administration.

SECTION 45. 13.94 (1) (d) 1. of the statutes is amended to read:

13.94 (1) (d) 1. At least once every 2 years, and at such other times as the
governor or legislature directs, examine and see that all the money appearing by the
books of the department of administration and state treasurer as belonging to the
several funds is in the vaults of the treasury or in the several state depositories.
**SECTION 46.** 13.94 (1) (d) 2. of the statutes is amended to read:

13.94 (1) (d) 2. If the governor directs that such an examination be conducted, the order from the governor shall provide for reimbursement of the legislative audit bureau's costs in making the examination from the appropriation under s. 20.525 (1) (a). No order from the governor for an examination under this paragraph may take precedence over any examination already scheduled by the legislative audit bureau without approval of the joint legislative audit committee. If a deficiency is discovered pursuant to an examination under this paragraph, the governor shall require the treasurer secretary of administration to make up the deficiency immediately; and if the treasurer secretary of administration refuses or neglects for 10 days thereafter to have the full sum belonging to said funds in the treasury the attorney general shall institute proceedings to recover the deficiency.

**SECTION 47.** 13.94 (1) (f) of the statutes is amended to read:

13.94 (1) (f) Certify Whenever a new secretary of administration takes office, certify to the incoming treasurer secretary the balance in the treasury when he or she came into office and all bonds and securities belonging to all public funds on deposit in the treasury or properly accounted for and transmit a certified copy thereof to the outgoing treasurer secretary.

**SECTION 48.** 13.94 (1) (q) of the statutes is amended to read:

13.94 (1) (q) No later than February 1, 2006, prepare a performance evaluation audit of the volunteer fire fighter and emergency medical technician service award program established under s. 16.25 560.9813. The legislative audit bureau shall file a copy of the audit report under this paragraph with the distributees specified in par. (b).

**SECTION 49.** 13.94 (1m) of the statutes is amended to read:
13.94 (1m) INDEPENDENT EXPERTS. The legislative audit bureau may contract for the services of such independent professional or technical experts as deemed necessary to carry out the statutory duties and functions of the bureau within the limits of the amount provided under s. 20.765 (3) (c) or (5); and, in the case of postaudits involving the performance and program accomplishments of a department, shall contract for the services of such subject matter and program specialists from any state or federal agency or public institution of higher learning as deemed necessary by the joint committee on legislative organization.

SECTION 50. 13.94 (5) of the statutes is amended to read:

13.94 (5) TREATMENT OF CLASSIFIED EMPLOYEES. Notwithstanding sub. (3) (b), those individuals holding positions in the classified service at the legislative audit bureau who achieved permanent status in class on July 31, 1981, shall retain, while serving in the unclassified service in the legislative audit bureau, those protections afforded employees in the classified service under ss. 230.34 (1) (ah) and 230.44 (1) (c) relating to demotion, suspension, discharge or layoff, except that the applicability of any reduction in base pay of such an employee shall be determined on the basis of the base pay received by the employee on July 31, 1981, plus the total amount of any subsequent general economic increases approved by the joint committee on employment relations for nonrepresented employees in the classified service. Such employees shall also have reinstatement privileges to the classified service as provided under s. 230.33 (1). Employees of the legislative audit bureau holding positions in the classified service on July 31, 1981, who have not achieved permanent status in class in any position in the legislative audit bureau on that date are eligible to receive the protections and privileges preserved under this subsection.
if they successfully complete the probationary period required for the position which
they hold.

SECTION 51. 14.20 (1) (a) of the statutes is amended to read:

14.20 (1) (a) “Local governmental unit” has the meaning given in s. 22.01 16.97
(7).

SECTION 52. 14.20 (2) of the statutes is amended to read:

14.20 (2) From the appropriation under s. 20.525 (1) (f) and (4) or (5),
the governor may provide a grant to any local governmental unit or nonprofit
organization for support of a literacy improvement program.

SECTION 53. 14.38 (10) (c) of the statutes is amended to read:

14.38 (10) (c) Publish in the official state newspaper within 10 days after the
date of publication of an act a notice certifying the number of each act, the number
of the bill from which it originated, the date of publication and the relating clause.
Each certificate shall also contain a notice of where the full text of each act can be
obtained. Costs under this paragraph shall be charged to the appropriation under
s. 20.765 (1) (d) or (5).

SECTION 54. 14.58 (1) (intro.) of the statutes is repealed and recreated to read:

14.58 (1) Sign checks, share drafts, and other drafts on depositories in which moneys may be deposited in
one of the following methods:

SECTION 55. 14.58 (2) of the statutes is renumbered 16.401 (2) and amended
to read:

16.401 (2) Issue receipts. Issue receipts for all money paid to the treasurer
department.

SECTION 56. 14.58 (3) of the statutes is renumbered 16.401 (3).
SECTION 57. 14.58 (4) of the statutes is renumbered 16.401 (4) and amended to read:

16.401 (4) PAY ON WARRANTS SUMS AUTHORIZED BY LAW. (a) Pay out of the treasury, on demand, upon the warrants of the department of administration, except as provided in s. 20.929, such sums only as are authorized by law to be so paid, if there are appropriate funds therein to pay the same, and, when any sum is required to be paid out of a particular fund, pay it out of such fund only; and upon each such warrant, when payment is made in currency, take the receipt endorsed on or annexed thereto, of the payee therein named or an authorized agent or assignee. The state treasurer secretary shall accept telephone advice believed by the treasurer him or her to be genuine from any public depository, as defined in s. 34.01 (5), stating that a specified amount of money has been deposited with such public depository for the credit of the state treasurer, and shall act upon such telephone advice as though it had been in writing.

(b) When in the judgment of the state treasurer secretary balances in state public depository accounts are temporarily in excess of that required under par. (a), the treasurer, with the concurrence of the secretary of administration, may authorize the preparation of a warrant in excess of the funds contained in transfer the excess balance to the investment fund for the purpose of investment only. The earnings attributable to the investment of temporary excess balances shall be distributed as provided in sub. (19) (14).

SECTION 58. 14.58 (5) of the statutes is renumbered 16.401 (5) and amended to read:

16.401 (5) ACCOUNT FOR INTEREST. Pay into the treasury and account for all sums directly or indirectly received by the treasurer secretary by virtue of the
Section 58. Treasurer’s secretary’s office, or as interest or compensation for the use, deposit, or forbearance of any state moneys in the treasurer’s secretary’s hands or under the treasurer’s secretary’s control.

Section 59. 14.58 (6) of the statutes is renumbered 16.401 (6) and amended to read:

16.401 (6) Keep cash and fund accounts. Keep records showing the number, date, and amount of each cash receipt issued by the treasurer’s office department and classify said receipts by state funds; submit a summary statement of collections by fund together with a copy of each remittance advice in support thereof; keep also records showing the check, share draft, or other draft number, date, payee, and amount of each cash disbursement and classify said disbursements by state funds; keep a record of the date, payee, and amount of each disbursement made by a money transfer technique other than a check or draft and classify the disbursement by state fund; and verify at the end of each week the amounts shown by the treasurer’s secretary’s records to represent total cash balance and cash balances of individual state funds by comparing said amounts with corresponding balances appearing on records maintained by the department of administration.

Section 60. 14.58 (8) (intro.) and (a) to (c) of the statutes are renumbered 16.401 (7) (intro.) and (a) to (c).

Section 61. 14.58 (8) (d) of the statutes is repealed.

Section 62. 14.58 (9) of the statutes is renumbered 16.401 (8) and amended to read:

16.401 (8) Biennial report. On or before October 15 of each odd-numbered year, submit to the governor and the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report containing
the same information required of departments and independent agencies under s. 15.04 (1)-(d). The report shall also include a statement showing for each of the 2 preceding fiscal years the cash balance in each state fund at the beginning of the fiscal year, the aggregate amount of receipts credited, and the aggregate amount of disbursements charged to each said fund during the fiscal year and the resultant cash balance in each state fund at the end of the fiscal year. This statement shall further show as of the end of each said 2 fiscal years, at par, the aggregate value of securities held for each state fund and the aggregate value of securities held in trust or deposited for safekeeping, and shall show the manner in which the total cash balance was accounted for by listing the balances on deposit in each state account in a public depository, deducting from the total of such balances the aggregate amount of checks, share drafts, or other drafts outstanding and adding thereto the aggregate amount of cash and cash items in office.

SECTION 63. 14.58 (10) of the statutes is renumbered 16.401 (9) and amended to read:

16.401 (9) REPORT CERTAIN PAYMENTS. Whenever the state treasurer secretary or any state department shall remit to any county, city, town, or village any sum in payment of a state aid or other item, the remitter shall transmit a statement of the amount and purpose thereof to the clerk of such municipality. After the receipt thereof, the clerk of such municipality shall present such statement at the next regular meeting of the governing body and shall thereafter file and keep such statement for 6 years.

SECTION 64. 14.58 (12) of the statutes is renumbered 16.401 (10) and amended to read:
16.401 (10) **STAMP CHECKS AND DRAFTS.** Cause to be plainly printed or stamped upon each check, share draft, and other draft issued by the state treasurer secretary the period of time, as determined by the state treasurer secretary but not to exceed one year, during which the check or other draft may be presented for payment. The state treasurer secretary shall cancel on his or her records any check or other draft that is not presented for payment within the prescribed time period and shall credit the amount thereof to the fund upon which it is drawn. Notice of such cancellation and credit shall be immediately submitted by the state treasurer to the department of administration.

**SECTION 65.** 14.58 (13) of the statutes is renumbered 16.401 (11) and amended to read:

16.401 (11) **SERVICES PROVIDE SERVICES IN CONNECTION WITH SECURITIES HELD IN TRUST.** Upon request therefor from any company, corporation, society, order, or association which has securities on deposit with the treasurer secretary in trust, mail to its address not to exceed 60 days before the same become due, any or all interest coupons; return to it any or all bonds, notes, or other deposits as they become due and are replaced by other securities; cut all interest coupons, make any endorsement of interest or otherwise on any such securities; and collect therefor from the company, corporation, society, order, or association making the request, a 25-cent fee for a single coupon cut, or for each entry of interest endorsed on a note or return of a bond, note, or other security, and a 10-cent fee for each additional coupon cut, or entry of interest endorsed on a note, bond, or other security, and may withhold any and all coupons cut or refuse endorsement of interest on securities until such fee is paid. Such fees shall be paid into the state treasury as a part of the general fund, and an extra charge may be required for postage or registered mail.
SECTION 66. 14.58 (17) of the statutes is renumbered 16.401 (12) and amended to read:

16.401 (12) SAFEKEEPING HOLD SAFEKEEPING RECEIPTS FOR FEDERAL SECURITIES. Whenever any federal securities are purchased under authority of any law and the state treasurer secretary is custodian thereof the treasurer secretary may accept and hold safekeeping receipts of a federal reserve bank for such securities. Each such receipt shall be identified on its face with the name of the fund to which the securities described in the receipt belong.

SECTION 67. 14.58 (18) of the statutes is renumbered 16.401 (13) and amended to read:

16.401 (13) SALE OF INVESTMENTS. Whenever the department of administration draws a check, share draft, or other draft dated the next following business day upon a fund whose investment and collection is under the exclusive control of the investment board pursuant to s. 25.17 (1), and the receipts of the state treasurer are insufficient to permit a disbursement from said fund in the amount of such check, share draft, or other draft, the investment board shall sell investments owned by such fund for delivery in time to provide sufficient money to cover such check, share draft, or other draft on the date which that it bears.

SECTION 68. 14.58 (19) of the statutes is renumbered 16.401 (14).

SECTION 69. 14.58 (21) of the statutes is repealed.

SECTION 70. 14.63 (11m) of the statutes is amended to read:

14.63 (11m) FINANCIAL AID CALCULATIONS. The value of tuition units shall not be included in the calculation of a beneficiary’s eligibility for state financial aid for higher education if the beneficiary notifies the higher educational aids board and the institution of higher education that the beneficiary is planning to attend that he or
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she is a beneficiary of a contract under this section and the contract owner agrees to release to the higher educational aids board and the institution of higher education information necessary for the calculation under this subsection.

SECTION 71. 14.64 (8) of the statutes is amended to read:

14.64 (8) FINANCIAL AID CALCULATIONS. The balance of a college savings account shall not be included in the calculation of a beneficiary’s eligibility for state financial aid for higher education if the beneficiary notifies the higher educational aids board Board of Regents of the University of Wisconsin System and the eligible educational institution that the beneficiary is planning to attend that he or she is a beneficiary of a college savings account and if the account owner agrees to release to the higher educational aids board Board of Regents of the University of Wisconsin System and the eligible educational institution information necessary for the calculation under this subsection.

SECTION 72. 14.65 (1) of the statutes is amended to read:

14.65 (1) The secretary of administration shall transfer from the tuition trust fund or the college savings program trust fund to the general fund an amount equal to the amount expended from the appropriations under s. 20.505 (9) (a), 1995 stats., and s. 20.585 (2) (a), 2001 stats., and s. 20.585 (2) (am), 2001 stats., when the secretary of administration determines that funds in the tuition trust fund or the college savings program trust fund are sufficient to make the transfer. The secretary of administration may make the transfer in installments.

SECTION 73. 15.01 (2) of the statutes is amended to read:

15.01 (2) “Commission” means a 3-member governing body in charge of a department or independent agency or of a division or other subunit within a department, except for the Wisconsin waterways commission which shall consist of
5 members, the parole commission which shall consist of 8 members, and the Fox River management commission which shall consist of 7 members. A Wisconsin group created for participation in a continuing interstate body, or the interstate body itself, shall be known as a “commission”, but is not a commission for purposes of s. 15.06. The parole commission created under s. 15.145 (1) shall be known as a “commission”, but is not a commission for purposes of s. 15.06. The sentencing commission created under s. 15.105 (27) 15.145 (4) shall be known as a “commission” but is not a commission for purposes of s. 15.06 (1) to (4m), (7), and (9).

**SECTION 74.** 15.03 of the statutes is amended to read:

**15.03 Attachment for limited purposes.** Any division, office, commission, council or board attached under this section to a department or independent agency or a specified division thereof shall be a distinct unit of that department, independent agency or specified division. Any division, office, commission, council or board so attached shall exercise its powers, duties and functions prescribed by law, including rule making, licensing and regulation, and operational planning within the area of program responsibility of the division, office, commission, council or board, independently of the head of the department or independent agency, but budgeting, program coordination and related management functions shall be performed under the direction and supervision of the head of the department or independent agency, except that with respect to the office of the commissioner of railroads, all personnel and biennial budget requests by the office of the commissioner of railroads shall be provided to the department of transportation as required under s. 189.02 (7) and shall be processed and properly forwarded by the public service commission without change except as requested and concurred in by the office of the commissioner of railroads.
SECTION 75. 15.06 (1) (ar) of the statutes is repealed.

SECTION 76. 15.06 (1) (bm) of the statutes is created to read:

15.06 (1) (bm) The tax appeals commissioner shall be nominated by the
governor, and with the advice and consent of the senate, appointed for a 6-year term
expiring on March 1 of an odd-numbered year.

SECTION 77. 15.06 (1) (d) of the statutes is repealed.

SECTION 78. 15.07 (1) (a) 1. of the statutes is repealed.

SECTION 79. 15.07 (1) (b) 5. of the statutes is amended to read:

15.07 (1) (b) 5. Savings and loan institutions review board.

SECTION 80. 15.07 (1) (b) 18. of the statutes is repealed.

SECTION 81. 15.07 (2) (k) of the statutes is repealed.

SECTION 82. 15.07 (2) (L) of the statutes is amended to read:

15.07 (2) (L) The governor shall serve as chairperson of the information
technology management board and the chief information officer the secretary of
administration or his or her designee shall serve as secretary of that board.

SECTION 83. 15.07 (2) (m) of the statutes is created to read:

15.07 (2) (m) The chairperson of the state prosecutor’s board shall be
designated annually by the governor.

SECTION 84. 15.07 (5) (g) of the statutes is amended to read:

15.07 (5) (g) Members of the savings and loan institutions review board, $10
per day.

SECTION 85. 15.07 (5) (gm) of the statutes is repealed.

SECTION 86. 15.103 (2) of the statutes is repealed.

SECTION 87. 15.103 (3m) of the statutes is created to read:
15.103 (3m) DIVISION OF MERIT RECRUITMENT AND SELECTION. (a) There is created in the department of administration a division of merit recruitment and selection.

(b) The chief justice of the supreme court, the speaker of the assembly, the president of the senate, and two individuals appointed by the governor, one of whom may not be employed by the state, or their designees, shall compile a list of 3 qualified individuals to serve as the administrator of the division of merit recruitment and selection in the department of administration. The governor shall select an individual from this list to serve as administrator or the governor shall request that the chief justice of the supreme court, the speaker of the assembly, the president of the senate, and two individuals appointed by the governor, one of whom may not be employed by the state, or their designees, submit another list of 3 qualified individuals. The chief justice of the supreme court, the speaker of the assembly, the president of the senate, and two individuals appointed by the governor, one of whom may not be employed by the state, or their designees, shall continue to submit lists of 3 qualified individuals until such time that the governor selects an individual from a list. The individual selected shall be nominated by the governor and, with the advice and consent of the senate, appointed for a 5-year term.

SECTION 88. 15.105 (1) of the statutes is repealed.

SECTION 89. 15.105 (1m) of the statutes is created to read:

15.105 (1m) OFFICE OF COMMISSIONER OF TAX APPEALS. There is created an office of the commissioner of tax appeals which is attached to the department of administration under s. 15.03. The tax appeals commissioner shall be experienced in tax matters. The commissioner may not serve on or under any committee of a political party. The commissioner shall hold office until a successor is appointed and qualified.
SECTION 90. 15.105 (4) of the statutes is amended to read:

15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which is attached to the department of administration under s. 15.03. The public records board shall consist of the governor, the director of the historical society, the attorney general, the state auditor, and the director of the legislative council staff, or their designated representatives, and a representative of the small business community, a representative of a local unit of government, the governing body of a municipality, as defined in s. 106.215 (1) (e) 281.59 (1) (c), and one other member.

SECTION 91. 15.105 (6) of the statutes is created to read:

15.105 (6) STATE PROSECUTORS BOARD. (a) There is created a state prosecutors board which is attached to the department of administration under s. 15.03 and which shall consist of eight district attorneys appointed by the governor.

(b) 1. Subject to subd. 2., the members of the state prosecutors board shall be appointed for 4–year terms.

2. A person may not serve as a member of the board if he or she ceases to hold the office of district attorney.

(c) Notwithstanding the provisions of any statute or ordinance, membership on the state prosecutors board does not disqualify a member from holding any other public office or employment.

SECTION 92. 15.105 (11) of the statutes is repealed.

SECTION 93. 15.105 (12) (e) of the statutes is repealed.

SECTION 94. 15.105 (12) (f) of the statutes is amended to read:

15.105 (12) (f) Assistance. The executive director board may request any state agency to provide assistance necessary for the board to fulfill its duties.

SECTION 95. 15.105 (25) of the statutes is repealed.
SECTION 96. 15.105 (26) of the statutes is renumbered 15.155 (5), and 15.155 (5) (a) (intro.), as renumbered, is amended to read:

15.155 (5) (a) (intro.) There is created a volunteer fire fighter and emergency medical technician service award board that is attached to the department of administration commerce under s. 15.03. The board shall consist of the secretary of administration commerce or his or her designee and the following members appointed for 3-year terms:

SECTION 97. 15.105 (27) of the statutes is renumbered 15.145 (4), and 15.145 (4) (a) (intro.), as renumbered, is amended to read:

15.145 (4) (a) Creation; membership. (intro.) There is created a sentencing commission that is attached to the department of administration corrections under s. 15.03 and that shall consist of the following members:

SECTION 98. 15.107 (7) (f) of the statutes is amended to read:

15.107 (7) (f) A representative of the department of electronic government administration.

SECTION 99. 15.13 of the statutes is amended to read:

15.13 Department of agriculture, trade and consumer protection; creation. There is created a department of agriculture, trade and consumer protection under the direction and supervision of the board of agriculture, trade and consumer protection. The board shall consist of 7 9 members with an agricultural background and 2 members who are consumer representatives, appointed for staggered 6-year terms. Appointments to the board shall be made without regard to party affiliation, residence or interest in any special organized group.

SECTION 100. 15.137 (1) (a) (intro.) of the statutes is amended to read:
15.137 (1) (a) (intro.) There is created in the department of agriculture, trade and consumer protection an agricultural producer security council consisting of the following members appointed by the secretary of agriculture, trade, and rural resources for 3-year terms:

**SECTION 101.** 15.16 (1) (intro.) of the statutes is amended to read:

15.16 (1) **EMPLOYEE TRUST FUNDS BOARD.** (intro.) The employee trust funds board shall consist of the governor or the governor’s designee on the group insurance board, the secretary of employment relations administration or the secretary’s designee and 11 persons appointed or elected for 4-year terms as follows:

**SECTION 102.** 15.165 (2) of the statutes is amended to read:

15.165 (2) **GROUP INSURANCE BOARD.** There is created in the department of employee trust funds a group insurance board. The board shall consist of the governor, the attorney general, the secretary of administration, the secretary of employment relations and the commissioner of insurance or their designees, and 5 persons appointed for 2-year terms, of whom one shall be an insured participant in the Wisconsin retirement system who is not a teacher, one shall be an insured participant in the Wisconsin retirement system who is a teacher, one shall be an insured participant in the Wisconsin retirement system who is a retired employee, and one shall be an insured employee of a local unit of government.

**SECTION 103.** 15.17 of the statutes is repealed.

**SECTION 104.** 15.173 of the statutes is repealed.

**SECTION 105.** 15.175 (title) of the statutes is repealed.

**SECTION 106.** 15.175 (1) of the statutes is renumbered 15.105 (25m) and amended to read:
15.105 (25m) State employees suggestion board. There is created in the department of employment relations administration a state employees suggestion board consisting of 3 persons, at least one of whom shall be a state officer or employee, appointed for 4-year terms.

Section 107. 15.177 (title) of the statutes is repealed.

Section 108. 15.177 (1) of the statutes is renumbered 15.107 (16m), and 15.107 (16m) (a), as renumbered, is amended to read:

15.107 (16m) (a) There is created in the department of employment relations administration a council on affirmative action consisting of 15 members appointed for 3-year terms. A majority of the members shall be public members and a majority of the members shall be minority persons, women and persons with a disability appointed with consideration to the appropriate representation of each group.

Section 109. 15.183 (2) of the statutes is repealed.

Section 110. 15.185 (3) of the statutes is amended to read:

15.185 (3) Savings and loan institutions review board. There is created in the department of financial institutions a savings and loan institutions review board consisting of 7 members, at least 5 of whom shall have not less than 5 years’ experience in the savings and loan or savings bank business in this state, appointed for staggered 4-year terms.

Section 111. 15.185 (4) of the statutes is repealed.

Section 112. 15.195 (1) of the statutes is repealed.

Section 113. 15.21 of the statutes is repealed.

Section 114. 15.215 (title) of the statutes is repealed.

Section 115. 15.215 (1) of the statutes is renumbered 15.105 (28) and amended to read:
15.105 (28) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an
information technology management board that is attached to the department of
electronic government administration under s. 15.03. The board shall consist of the
governor, the cochairpersons of the joint committee on information policy and
technology or a member of the legislature from the same house as a cochairperson
designated by that cochairperson, one member of the minority party in each house
of the legislature, appointed in the same manner as members of standing committees
are appointed, the secretary of administration, 2 heads of departments or
independent agencies appointed to serve at the pleasure of the governor, 2 other
members appointed to serve for 4-year terms, and the chief information officer
secretary of administration or his or her designee.

SECTION 116. 15.225 (2) of the statutes is repealed.

SECTION 117. 15.225 (3) (title) of the statutes is renumbered 15.227 (18) (title)
and amended to read:

15.227 (18) (title) GOVERNOR'S WORK-BASED LEARNING BOARD COUNCIL.

SECTION 118. 15.225 (3) (a) of the statutes is renumbered 15.227 (18) (a) and
amended to read:

15.227 (18) (a) There is created a governor’s work-based learning board which
is attached to the department of workforce development under s. 15.03 council
consisting of the members specified in par. (b).

SECTION 119. 15.225 (3) (b) (intro.) of the statutes is renumbered 15.227 (18)
(b) (intro.) and amended to read:

15.227 (18) (b) (intro.) The governor’s work-based learning board council shall
consist of the following members:
SECTION 120. 15.225 (3) (b) 1. of the statutes is renumbered 15.227 (18) (b) 1. and amended to read:

15.227 (18) (b) 1. The governor, who shall serve as chairperson of the council.

SECTION 121. 15.225 (3) (b) 2. of the statutes is renumbered 15.227 (18) (b) 2.

SECTION 122. 15.225 (3) (b) 3. of the statutes is renumbered 15.227 (18) (b) 3.

SECTION 123. 15.225 (3) (b) 4. of the statutes is renumbered 15.227 (18) (b) 4.

SECTION 124. 15.225 (3) (b) 5. of the statutes is renumbered 15.227 (18) (b) 5.

SECTION 125. 15.225 (3) (b) 6. of the statutes is renumbered 15.227 (18) (b) 6.

SECTION 126. 15.225 (3) (b) 6g. of the statutes is renumbered 15.227 (18) (b) 6g.

SECTION 127. 15.225 (3) (b) 6m. of the statutes is renumbered 15.227 (18) (b) 6m.

SECTION 128. 15.225 (3) (b) 7g. of the statutes is renumbered 15.227 (18) (b) 7g.

SECTION 129. 15.225 (3) (b) 8g. of the statutes is renumbered 15.227 (18) (b) 8g.

SECTION 130. 15.225 (3) (b) 8m. of the statutes is renumbered 15.227 (18) (b) 8m.

SECTION 131. 15.225 (3) (b) 9. of the statutes is renumbered 15.227 (18) (b) 9.

SECTION 132. 15.253 (4) of the statutes is repealed.

SECTION 133. 15.255 (2) (b) 4. of the statutes is amended to read:

15.255 (2) (b) 4. Two members, who are citizens of this state but who are not employed in law enforcement, by a district attorney, or as specified in subd. 3., who are citizens of this state and who are not assignable prosecutors, as defined in s. 978.001 (1c).

SECTION 134. 15.67 of the statutes is repealed.

SECTION 135. 15.78 of the statutes is amended to read:
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**SECTION 135.** 15.78 Public defender board. There is created a public defender board consisting of 9 members appointed for staggered 3-year terms. No member may be, or be employed on the staff of, a judicial or law enforcement officer, district attorney, corporation counsel, or the state public defender. No member may be an assignable prosecutor, as defined in s. 978.001 (1c). At least 5 members shall be members of the State Bar of Wisconsin.

**SECTION 136.** 15.79 of the statutes is amended to read:

15.79 Public service commission; creation. There is created a public service commission. No member of the commission may have a financial interest in a railroad or public utility. If any member voluntarily becomes so interested, the member’s office shall become vacant. If the member involuntarily becomes so interested, the member’s office shall become vacant unless the member divests himself or herself of the interest within a reasonable time. No commissioner may serve on or under any committee of a political party. Each commissioner shall hold office until a successor is appointed and qualified.

**SECTION 137.** 15.795 of the statutes is repealed.

**SECTION 138.** 15.80 of the statutes is repealed.

**SECTION 139.** 16.003 (2) of the statutes is amended to read:

16.003 (2) Staff. Except as provided in ss. 16.548, 16.57, 978.03 (1), (1m), and (2), 978.04 and 978.05 (8) (b), and 978.14 (1) (d), the secretary shall appoint the staff necessary for performing the duties of the department. All staff shall be appointed under the classified service except as otherwise provided by law.

**SECTION 140.** 16.004 (7) (a) of the statutes is amended to read:

16.004 (7) (a) The secretary shall establish and maintain a personnel management information system which shall be used to furnish the governor, and
the legislature and the department of employment relations with current information pertaining to authorized positions, payroll and related items for all civil service employees, except employees of the office of the governor, the courts and judicial branch agencies, and the legislature and legislative service agencies. It is the intent of the legislature that the University of Wisconsin System provide position and other information to the department and the legislature, which includes appropriate data on each position, facilitates accountability for each authorized position and traces each position over time. Nothing in this paragraph may be interpreted as limiting the authority of the board of regents of the University of Wisconsin System to allocate and reallocate positions by funding source within the legally authorized levels.

**SECTION 141.** 16.004 (15) of the statutes is created to read:

16.004 (15) LEGAL SERVICES. (a) In this subsection, “state agency” means an office, commission, department, independent agency, or board in the executive branch of state government, and includes the building commission.

(b) The department may provide legal services to state agencies. Annually, the department shall assess each state agency for the cost of the legal services provided to the state agency. The department shall credit all moneys received from state agencies under this paragraph to the appropriation account under s. 20.505 (1) (kr).

**SECTION 142.** 16.006 of the statutes is amended to read:

16.006 **Treatment of classified employees.** Those individuals holding positions in the classified service in the department who are engaged in legislative text processing functions and who achieved permanent status in class on August 9, 1989, shall retain, while serving in the unclassified service in the legislature or any legislative branch agency, those protections afforded employees in the classified
service under ss. 230.34 (1) (ah) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff, or reduction in base pay except that the applicability of any reduction in base pay of such an employee shall be determined on the basis of the base pay received by the employee on August 9, 1989, plus the total amount of any subsequent general economic increases provided in the compensation plan under s. 230.12 for nonrepresented employees in the classified service. Such employees shall also have reinstatement privileges to the classified service as provided under s. 230.33 (1). Employees of the department holding positions in the classified service on August 9, 1989, who are engaged in legislative text processing functions and who have not achieved permanent status in class in any position in the department on that date are eligible to receive the protections and privileges preserved under this section if they successfully complete service equivalent to the probationary period required in the classified service for the positions which they hold.

SECTION 143. 16.009 (3) (intro.), (a) and (bm) of the statutes are consolidated, renumbered 16.009 (3) and amended to read:

16.009 (3) The board may: (a) Contract with any state agency to carry out the board’s activities. (bm) Employ an attorney for including the provision of legal services in accordance with requirements of the long–term care ombudsman program under 42 USC 3027 (a) (12) and 42 USC 3058g (g).

SECTION 144. 16.009 (5) (c) of the statutes is repealed.

SECTION 145. 16.009 (5) (d) of the statutes is amended to read:

16.009 (5) (d) Any employee of an employer not described in par. (e) and who is discharged or otherwise retaliated or discriminated against in violation of par. (a)
may file a complaint with the department of workforce development under s. 106.54
(5).

**SECTION 146.** 16.009 (5) (e) of the statutes is amended to read:

16.009 (5) (e) Any person not described in par. (c) or (d) who is retaliated or
discriminated against in violation of par. (a) may commence an action in circuit court
for damages incurred as a result of the violation.

**SECTION 147.** 16.023 (2) of the statutes is amended to read:

16.023 (2) In conjunction with the working group established under sub. (1) (L)
1., the council shall, not later than one year after October 14, 1997, develop
evaluation criteria for its functions under sub. (1). The council shall complete a
report that contains an evaluation of its functions and activities not later than
September 1, 2002 2004, and shall submit the report to the chief clerk of each house
of the legislature, for distribution to the legislature under s. 13.172 (2), and to the
governor. The report shall also include a recommendation as to whether the council
should continue in existence past its sunset date specified in s. 15.107 (16) (e) and,
if so, a recommendation as to whether any structural modifications should be made
to the council's functions or to the state's land use programs.

**SECTION 148.** 16.023 (3) of the statutes is amended to read:

16.023 (3) Subsections (1) and (2) do not apply after August 31, 2003 2005.

**SECTION 149.** 16.25 of the statutes is renumbered 560.9813, and 560.9813 (3)
(d) and (4), as renumbered, are amended to read:

560.9813 (3) (d) 1. Subject to subd. 2., the board shall match all annual
municipal contributions paid for volunteer fire fighters and emergency medical
technicians up to $250 per fiscal year, other than contributions paid for the purchase
of additional years of service under par. (e), to be paid from the appropriation account
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under s. 20.505 (4) (er) 20.143 (1) (eu). This amount shall be adjusted annually on
July 1 to reflect any changes in the U.S. consumer price index for all urban
consumers, U.S. city average, as determined by the U.S. department of labor, for the
12-month period ending on the preceding December 31. The board shall pay all
amounts that are matched under this paragraph to the individuals and
organizations offering the plans selected by the municipalities.

2. If the moneys appropriated under s. 20.505 (4) (er) 20.143 (1) (eu) are not
sufficient to fully fund the contributions required to be paid by the board under subd.
1., the board shall prorate the contributions paid for the volunteer fire fighters and
emergency medical technicians.

(4) (a) The board shall establish by rule the requirements for, and the
qualifications of, the individuals and organizations in the private sector that are
eligible to provide administrative services and investment plans under the program,
other than services funded from the appropriation under s. 20.505 (4) (ee) 20.143 (1)
(et). In establishing the requirements and qualifications, the board shall develop
criteria of financial stability that each individual and organization must meet in
order to offer the services and plans under the program.

(b) The board may contract with any individual or organization in the private
sector that seeks to provide administrative services and investment plans required
for the program, other than services funded from the appropriation under s. 20.505
(4) (ee) 20.143 (1) (et), if the individual or organization fulfills the requirements and
has the qualifications established by the board under par. (a). Section 16.72 (2) (b)
does not apply to any such contract.

SECTION 150. Subchapter II (title) of chapter 16 [precedes 16.30] of the statutes
is renumbered subchapter X (title) of chapter 560 [precedes 560.9801].
SECTION 151. 16.30 of the statutes is renumbered 560.9801.

SECTION 152. 16.31 of the statutes is renumbered 560.9802.

SECTION 153. 16.33 of the statutes, as affected by 2001 Wisconsin Act 109, is renumbered 560.9803, and 560.9803 (1) (a) and (3) (a), as renumbered, are amended to read:

560.9803 (1) (a) Subject to sub. (2), make grants or loans, directly or through agents designated under s. 16.334 560.9804, from the appropriation under s. 20.505 (7) 20.143 (2) (b) to persons or families of low or moderate income to defray housing costs of the person or family.

(3) (a) The department may make grants or loans under sub. (1) (a) directly or through agents designated under s. 16.334 560.9804.

SECTION 154. 16.334 of the statutes is renumbered 560.9804, and 560.9804 (1) (a) and (c), as renumbered, are amended to read:

560.9804 (1) (a) Award grants and loans under s. 16.33 560.9803 (1) and (2) subject to the approval of the department.

(c) On terms approved by the department, administer and disburse funds from a grant or loan under s. 16.33 560.9803 on behalf of the recipient of the grant or loan.

SECTION 155. 16.336 of the statutes is renumbered 560.9805.

SECTION 156. 16.339 of the statutes is renumbered 560.9806, and 560.9806 (2) (a), as renumbered, is amended to read:

560.9806 (2) (a) From the appropriation under s. 20.505 (7) 20.143 (2) (fm), the department may award a grant to an eligible applicant for the purpose of providing transitional housing and associated supportive services to homeless individuals and families if the conditions under par. (b) are satisfied. The department shall ensure
that the funds for the grants are reasonably balanced among geographic areas of the state, consistent with the quality of applications submitted.

Section 157. 16.35 of the statutes is renumbered 560.9815.

Section 158. 16.351 of the statutes is renumbered 560.9807, and 560.9807 (1), as renumbered, is amended to read:

560.9807 (1) Grants. From moneys available under s. 20.505 (7) 20.143 (2) (h), the department shall make grants to organizations, including organizations operated for profit, that provide shelter or services to homeless individuals or families.

Section 159. 16.352 of the statutes is renumbered 560.9808, and 560.9808 (2) (a) and (b) (intro.), as renumbered, are amended to read:

560.9808 (2) (a) From the appropriations under s. 20.505 (7) 20.143 (2) (fm) and (h), the department shall award grants to eligible applicants for the purpose of supplementing the operating budgets of agencies and shelter facilities that have or anticipate a need for additional funding because of the renovation or expansion of an existing shelter facility, the development of an existing building into a shelter facility, the expansion of shelter services for homeless persons, or an inability to obtain adequate funding to continue the provision of an existing level of services.

(b) (intro.) The department shall allocate funds from the appropriations under s. 20.505 (7) 20.143 (2) (fm) and (h) for temporary shelter for homeless individuals and families as follows:

Section 160. 16.358 of the statutes is renumbered 560.9809, and 560.9809 (1), as renumbered, is amended to read:

560.9809 (1) The department may administer housing programs, including the housing improvement grant program and the initial rehabilitation grant program,
that are funded by a community development block grant, 42 USC 5301 to 5320,
under a contract entered into with the department of commerce under s. 560.045.

**SECTION 160.** 16.375 of the statutes is renumbered 560.9810.

**SECTION 161.** 16.385 of the statutes is renumbered 16.27, and 16.27 (3) (b), (c),
(d) and (e) (intro.), 1. and 7., as renumbered, are amended to read:

16.27 (3) (b) By October 1 of every year from the appropriation under s. 20.505
(7) (o) 20.505 (1) (mb), determine the total amount available for payment of heating
assistance under sub. (6) and determine the benefit schedule.

(c) From the appropriation under s. 20.505 (7) (m) 20.505 (1) (mb), allocate
$1,100,000 in each federal fiscal year for the department’s expenses in administering
the funds to provide low-income energy assistance.

(d) From the appropriation under s. 20.505 (7) (o) 20.505 (1) (mb), allocate
$2,900,000 in each federal fiscal year for the expenses of a county department,
another local governmental agency or a private nonprofit organization in
administering under sub. (4) the funds to provide low-income energy assistance.

(e) (intro.) From the appropriation under s. 20.505 (7) (o) 20.505 (1) (mb):
1. Allocate and transfer to the appropriation under s. 20.505 (7) (km) (1) (kn),
15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal year
under the priority of maintaining funding for the geographical areas on July 20,
1985, and, if funding is reduced, prorating contracted levels of payment, for the
weatherization assistance program administered by the department under s. 16.39

7. By October 1 of each year and after consulting with the department of
administration, allocate funds budgeted but not spent and any funds remaining from
previous fiscal years to heating assistance under sub. (6) or to the weatherization assistance program under s. 16.39 16.26.

SECTION 163. 16.39 of the statutes is renumbered 16.26.

SECTION 164. 16.40 (18) of the statutes is amended to read:

16.40 (18) REQUIRE AGENCIES TO PROVIDE COPIES. Require each state agency, at the time that the agency submits a request to the department for an increased appropriation to be provided in an executive budget bill which is necessitated by the compensation plan under s. 230.12 or a collective bargaining agreement approved under s. 111.92, to provide a copy of the request to the secretary of employment relations and the joint committee on employment relations.

SECTION 165. 16.401 (intro.) of the statutes is created to read:

16.401 Treasury management. (intro.) The department shall:

SECTION 166. 16.401 (1) of the statutes is created to read:

16.401 (1) HAVE CUSTODY OF MONEYS. Receive and have charge of all moneys paid into the treasury and any other moneys received by officers and employees of state agencies, and pay out the moneys as directed by law, except as provided in ss. 16.52 (7), 20.907 (5) (b), 20.920, and 20.929.

SECTION 167. 16.406 of the statutes is created to read:

16.406 Request to issue certain general obligation debt. Annually, on or before September 1, but not after 2005, the department shall prepare an estimate of the net balances of the general fund for the fiscal year corresponding with the year in which the department makes an estimate under this section. Copies of the estimates shall be provided to the cochairpersons of the joint committee on finance and to the legislative fiscal bureau. If the estimated net general fund balance for the fiscal year, as certified by the department, is less than the estimated net general fund
balance for that fiscal year as shown in the most recent schedule under s. 20.005 (1),
the secretary of administration may request that the building commission refund the
whole or any part of any unpaid indebtedness used to finance tax−supported or
self−amortizing facilities from moneys appropriated under s. 20.866 (2) (xe).

SECTION 168. 16.412 of the statutes is amended to read:

16.412 Agency payments. At the request of any agency, the secretary, with
the approval of the state treasurer, may authorize the processing of specified regular
periodic payments through the use of money transfer techniques including, without
limitation because of enumeration, direct deposit, electronic funds transfer, and
automated clearinghouse procedures.

SECTION 169. 16.415 (1) of the statutes is amended to read:

16.415 (1) Neither the secretary nor any other fiscal officer of this state may
draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on
the treasurer or other disbursing officer of the state to pay any compensation to any
person in the classified service of the state unless an estimate, payroll, or account for
such compensation, containing the names of every person to be paid, bears the
certificate of the appointing authority that each person named in the estimate,
payroll or account has been appointed, employed, or subject to any other personnel
transaction in accordance with, and that the pay for the person has been established
in accordance with, the law, compensation plan, or applicable collective bargaining
agreement, and applicable rules of the secretary of employment relations and the
administrator of the division of merit recruitment and selection in the department
of employment relations then in effect.

SECTION 170. 16.415 (1) of the statutes, as affected by 2003 Wisconsin Act ....
(this act), is amended to read:
16.415 (1) Neither the secretary nor any other fiscal officer of this state may draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on the treasurer or other any disbursing officer of the state to pay any compensation to any person in the classified service of the state unless an estimate, payroll, or account for such compensation, containing the names of every person to be paid, bears the certificate of the appointing authority that each person named in the estimate, payroll, or account has been appointed, employed, or subject to any other personnel transaction in accordance with, and that the pay for the person has been established in accordance with, the law, compensation plan, or applicable collective bargaining agreement, and applicable rules of the administrator of the division of merit recruitment and selection in the department then in effect.

**SECTION 171.** 16.415 (3) of the statutes is amended to read:

16.415 (3) Any sums paid contrary to this section may be recovered from any appointing authority making such appointments in contravention of law or of the rules promulgated pursuant thereto, or from any appointing authority signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of the same, or from the sureties on the official bond of any such appointing authority, in an action in the circuit court for any county within the state, maintained by the secretary of employment relations administration, or by a citizen resident therein, who is assessed for, and liable to pay, or within one year before the commencement of the action has paid, a state, city or county tax within this state.

All moneys recovered in any action brought under this section when collected, shall be paid into the state treasury except that if a citizen taxpayer is plaintiff in any such action he or she shall be entitled to receive for personal use the taxable cost of such action and 5% of the amount recovered as attorney fees.
SECTION 172. 16.43 of the statutes is amended to read:

16.43 Budget compiled. The secretary shall compile and submit to the governor or the governor-elect and to each person elected to serve in the legislature during the next biennium, not later than November 20 of each even-numbered year, a compilation giving all of the data required by s. 16.46 to be included in the state budget report, except the recommendations of the governor and the explanation thereof. The secretary shall not include in the compilation any provision for the development or implementation of an information technology development project for an executive branch agency that is not consistent with the strategic plan of the agency, as approved under s. 22.13 16.976.

SECTION 173. 16.50 (1) (b) of the statutes is amended to read:

16.50 (1) (b) This subsection does not apply to appropriations under ss. 20.255 (2) (ac) and (r), 20.835, and 20.865 (4).

SECTION 174. 16.50 (3) of the statutes is amended to read:

16.50 (3) Limitation on increase of force and salaries. No department, except the legislature or the courts, may increase the pay of any employee, expend money or incur any obligation except in accordance with the estimate that is submitted to the secretary as provided in sub. (1) and approved by the secretary or the governor. No change in the number of full-time equivalent positions authorized through the biennial budget process or other legislative act may be made without the approval of the joint committee on finance, except for position changes made by the governor under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin System under s. 16.505 (2m) or (2p). The secretary may withhold, in total or in part, the funding for any position, as defined in s. 230.03 (11), as well as the funding for
part-time or limited term employees until such time as the secretary determines
that the filling of the position or the expending of funds is consistent with s. 16.505
and with the intent of the legislature as established by law or in budget
determinations, or the intent of the joint committee on finance in creating or
abolishing positions under s. 13.10, the intent of the governor in creating or
abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents
of the University of Wisconsin System in creating or abolishing positions under s.
16.505 (2m) or (2p). Until the release of funding occurs, recruitment or certification
for the position may not be undertaken. The secretary shall submit a quarterly
report to the joint committee on finance of any position changes made by the governor
under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or
within the pay ranges prescribed in the compensation plan or as provided in a
collective bargaining agreement under subch. V of ch. 111. At the request of the
secretary of employment relations, the secretary of administration may
authorize the temporary creation of pool or surplus positions under any source of
funds if the secretary of employment relations determines that temporary positions
are necessary to maintain adequate staffing levels for high turnover classifications,
in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus
or pool positions authorized by the secretary shall be reported quarterly to the joint
committee on finance in conjunction with the report required under s. 16.54 (8).

SECTION 175. 16.502 of the statutes is created to read:

16.502 Calculation of positions. In any report prepared by the department
that calculates the number of positions, as defined in s. 230.03 (11), the department
shall separately calculate and present in the report the University of Wisconsin
Hospitals and Clinics Board’s positions; positions of the board of regents of the
University of Wisconsin System funded by gifts, grants, auxiliary enterprises
revenue, or federal revenue; and all remaining positions in state government.

**SECTION 176.** 16.505 (1) (intro.) of the statutes is amended to read:

16.505 (1) (intro.) Except as provided in subs. (2), (2d), (2m), (2n), and (2p), no
position, as defined in s. 230.03 (11), regardless of funding source or type, may be
created or abolished unless authorized by one of the following:

**SECTION 177.** 16.505 (2d) of the statutes is created to read:

16.505 (2d) The department of revenue may request the governor to create a
full-time equivalent position or portion thereof funded from gross lottery revenues,
as defined in s. 25.75 (1) (b), in the department of revenue to perform services relating
to the state lottery that are not performed by one or more persons under contract with
the department of administration. Upon receiving such a request, the governor may
change the authorized level of full-time equivalent positions funded from such
revenues in the department of revenue in accordance with this subsection. The
governor may approve a different authorized level of positions than is requested. If
the governor proposes to change the number of full-time equivalent positions, the
governor shall notify the joint committee on finance in writing of his or her proposed
action. If the cochairpersons of the committee do not notify the governor that the
committee has scheduled a meeting for the purpose of reviewing the proposed action
within 14 working days after the date of the governor's notification, the position
changes may be made as proposed by the governor. If, within 14 working days after
the date of the governor's notification, the cochairpersons of the committee notify the
governor that the committee has scheduled a meeting for the purpose of reviewing
the proposed action, the position changes may be made under this subsection only
upon approval of the committee.
SECTION 178. 16.52 (6) (a) of the statutes is amended to read:

16.52 (6) (a) Except as authorized in s. 16.74, all purchase orders, contracts, or printing orders for any agency, as defined in s. 16.70 (1e), shall, before any liability is incurred thereon, be submitted to the secretary for his or her approval as to legality of purpose and sufficiency of appropriated and allotted funds therefor. In all cases the date of the contract or order governs the fiscal year to which the contract or order is chargeable, unless the secretary determines that the purpose of the contract or order is to prevent lapsing of appropriations or to otherwise circumvent budgetary intent. Upon such approval, the secretary shall immediately encumber all contracts or orders, and indicate the fiscal year to which they are chargeable.

SECTION 179. 16.52 (10) of the statutes is amended to read:

16.52 (10) DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal year shall not apply to the appropriation appropriations under s. 20.255 (2) (ac) and (r).

SECTION 180. 16.523 of the statutes is created to read:

16.523 Purchase of bonds issued by Badger Tobacco Asset Securitization Corporation; revenue obligations. (1) There is established a tobacco settlement bond purchase program, to be administered by the department, to purchase any bonds issued by Badger Tobacco Asset Securitization Corporation. The legislature finds and determines that the tobacco settlement bond purchase program is likely to produce sufficient net income to pay when due the principal of and interest on revenue obligations issued by the state to make the purchase and, thereby, constitutes a revenue-producing enterprise or program, as defined in s. 18.52 (6).
(2) The net proceeds of revenue obligations issued under subch. II of ch. 18, as authorized under this section, shall be deposited in a fund in the state treasury, or an account maintained by a trustee, created under s. 18.57 (1). The moneys shall be applied for ancillary payments and the provision of reserves, as determined by the building commission, and for the purchase by the department of any bonds issued by Badger Tobacco Asset Securitization Corporation, as determined by the department, and any remainder shall be paid into a tobacco settlement bond purchase program redemption fund created under s. 18.561 (5) or the tobacco settlement bond purchase program repayment fund, or both, as provided in the authorizing resolution.

(3) The department shall have all powers necessary and convenient to distribute the revenues from the tobacco settlement bond purchase program and the proceeds of the revenue obligations issued under this section in accordance with subch. II of ch. 18.

(4) The department may enter into agreements with the federal government or its agencies, political subdivisions of this state, individuals, or private entities to insure, or in any other manner provide, additional security for the revenue obligations issued under this section.

(5) (a) Subject to the limitation under par. (b), the building commission may contract revenue obligations under this section in the maximum amount that the building commission believes can be fully paid on a timely basis from moneys received or anticipated to be received from the tobacco settlement bond purchase program.

(b) The requirements for funds for the tobacco settlement bond purchase program to be paid from revenue obligations issued under this section shall be
determined by the secretary of administration, but shall not exceed $1,600,000,000
to purchase, acquire, conduct, control, operate, or manage the tobacco settlement
bond purchase program.

(6) Unless otherwise expressly provided in resolutions authorizing the
issuance of revenue obligations under this section or in other agreements with the
owners of revenue obligations, each issue of revenue obligations under this section
shall be on a parity with every other revenue obligation issued under this section and
in accordance with subch. II of ch. 18.

(7) As determined by the building commission, any moneys deposited into the
tobacco settlement bond purchase program repayment fund that are not required for
paying principal of and premium, if any, and interest on revenue obligations and
providing for reserves and for ancillary payments authorized to be paid from such
moneys are transferred in equal amounts to the tobacco control fund and to the
general fund.

(8) Recognizing its moral obligation to do so, the legislature expresses its
expectation and aspiration that, if the funds in the tobacco settlement bond purchase
program repayment fund are insufficient to pay the principal of and interest on the
revenue obligations issued under subch. II of ch. 18 pursuant to this section, the
legislature shall make an appropriation from the general fund sufficient to pay the
principal of and interest on the obligations or to replenish a reserve fund, if
applicable.

SECTION 181. 16.526 of the statutes is created to read:

16.526 Payment of the state's unfunded prior service liability under
the Wisconsin Retirement System; revenue obligations. (1) For purposes of
subch. II of ch. 18, the purpose of paying of the state’s unfunded prior service liability
under s. 40.05 (2) (b) is a special fund program, and the excise tax fund is a special
fund. The legislature finds and determines that the excise tax fund is a segregated
fund consisting of fees, penalties, or excise taxes and that the special program to pay
the state’s unfunded prior service liability under s. 40.05 (2) (b) from the net proceeds
of revenue obligations issued under this section is appropriate and will serve a public
purpose.

(2) The net proceeds of revenue obligations issued under subch. II of ch. 18, as
authorized under this section, shall be deposited in a fund in the state treasury, or
an account maintained by a trustee, created under s. 18.57 (1). The moneys shall be
applied for ancillary payments and for the provision of reserves, as determined by
the building commission, and for the payment of part or all of the state’s unfunded
prior service liability under s. 40.05 (2) (b), as determined by the department, and
any remainder shall be paid into a prior service liability obligation redemption fund
created under 18.562 (3).

(3) The department shall have all powers necessary and convenient to
distribute the excise tax fund revenues and to distribute the proceeds of the revenue
obligations issued under this section in accordance with subch. II of ch. 18.

(4) The department may enter into agreements with the federal government
or its agencies, political subdivisions of this state, individuals, or private entities to
insure, or in any other manner provide, additional security for the revenue
obligations issued under this section.

(5) (a) Subject to the limitation under par. (b), the building commission may
contract revenue obligations, payable from the excise tax fund, under this section in
the maximum amount that the building commission believes can be fully paid on a
timely basis from moneys received or anticipated to be received in the excise tax fund.
(b) The requirements for funds used for the payment of the state’s unfunded prior service liability under s. 40.05 (2) (b) that are to be paid from revenue obligations issued under this section shall be determined by the secretary, but shall not exceed $750,000,000.

(6) Unless otherwise expressly provided in resolutions authorizing the issuance of revenue obligations under this section or in other agreements with the owners of revenue obligations, each issue of revenue obligations under this section shall be on a parity with every other revenue obligation issued under this section and in accordance with subch. II of ch. 18.

(7) As determined by the building commission, any moneys deposited in the excise tax fund that are not required for the retirement of revenue obligations and providing for reserves and for ancillary payments authorized to be paid from such moneys are transferred to the general fund.

(8) Recognizing its moral obligation to do so, the legislature expresses its expectation and aspiration that, if the funds in the excise tax fund are insufficient to pay the principal of and interest on the revenue obligations issued under subch. II of ch. 18 pursuant to this section, the legislature shall make an appropriation from the general fund sufficient to pay the principal and interest on the obligations or to replenish a reserve fund, if applicable.

SECTION 182. 16.527 of the statutes is created to read:

16.527 Retirement of state’s unfunded prior service liability under the Wisconsin Retirement System; appropriation obligations. (1) LEGISLATIVE FINDING AND DETERMINATION. Recognizing that the state, by prepaying part or all of the state’s unfunded prior service liability under s. 40.05 (2) (b), may reduce its costs and better ensure the timely and full payment of retirement benefits to participants
and their beneficiaries under the Wisconsin Retirement System, the legislature finds
and determines that it is in the public interest for the state to issue appropriation
obligations to pay part or all of the state’s unfunded prior service liability under s.
40.05 (2) (b).

(2) DEFINITIONS. In this section:

(a) “Appropriation obligation” means an undertaking by the state to repay a
certain amount of borrowed money that is all of the following:

1. Payable from moneys annually appropriated by law for debt service due with
respect to such undertaking in that year.

2. Used for the purpose of paying part or all of the state’s unfunded prior service
liability under s. 40.05 (2) (b).

3. Not public debt under s. 18.01 (4).

(b) “Evidence of appropriation obligation” means a written promise to pay an
appropriation obligation.

(c) “Refunding obligation” means an appropriation obligation contracted to
fund or refund all or any part of one or more outstanding appropriation obligations.

(3) AUTHORIZATION OF APPROPRIATION OBLIGATIONS. (a) The department shall
have all powers necessary and convenient to carry out its duties, and exercise its
authority, under this section.

(b) 1. Subject to the limitation under subd. 2., the department may contract
appropriation obligations of the state under this section.

2. Appropriation obligations issued under this section may not exceed
$750,000,000 in principal amount, excluding any obligations that have been
defeased under a cash optimization program administered by the building
commission. In addition to this limit on principal amount, the department may
contract appropriation obligations as the department determines is desirable to fund
or refund outstanding appropriation obligations issued under this section, to pay
issuance or administrative expenses, to make deposits to reserve funds, to pay
accrued or funded interest, to pay the costs of credit enhancement, or to make
payments under other agreements entered into under sub. (4) (e).

(4) TERMS. (a) Money may be borrowed and evidences of appropriation
obligation issued therefor pursuant to one or more written authorizing certifications
under sub. (5), unless otherwise provided in the certification, at any time, in any
specific amounts, at any rates of interest, for any term, payable at any intervals, at
any place, in any manner, and having any other terms or conditions that the
department considers necessary or useful. Appropriation obligations may bear
interest at variable or fixed rates, bear no interest, or bear interest payable only at
maturity or upon redemption prior to maturity.

(b) The department may authorize evidences of appropriation obligation
having any provisions for prepayment considered necessary or useful, including the
payment of any premium.

(c) Interest shall cease to accrue on an appropriation obligation on the date that
the obligation becomes due for payment if payment is made or duly provided for, but
the obligation and accrued interest shall continue to be a binding obligation
according to its terms until 6 years overdue for payment, or such longer period as may
be required by federal law. At that time, unless demand for its payment has been
made, it shall be extinguished and considered no longer outstanding.

(d) All money borrowed by the state pursuant to evidences of appropriation
obligation issued under this section shall be lawful money of the United States, and
all appropriation obligations shall be payable in such money.
(e) At the time of, or in anticipation of, contracting for the appropriation obligations and at any time thereafter so long as the appropriation obligations are outstanding, the department may enter into agreements and ancillary arrangements relating to the appropriation obligations, including trust indentures, liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, guaranty agreements, reimbursement agreements, indexing agreements, or interest exchange agreements. Any payments made or received pursuant to any such agreement or ancillary arrangement shall be made from or deposited into a program revenue appropriation account in the general fund.

(f) All evidences of appropriation obligation owned or held by any state fund are outstanding in all respects and the state agency controlling the fund shall have the same rights with respect to an evidence of appropriation obligation as a private party, but if any sinking fund acquires evidences of appropriation obligation that gave rise to such fund, the obligations are considered paid for all purposes and no longer outstanding and shall be canceled as provided in sub. (8) (e). All evidences of appropriation obligation owned by any state fund shall be registered to the fullest extent registrable.

(g) The state shall not be generally liable on evidences of appropriation obligation and evidences of appropriation obligation shall not be a debt of the state for any purpose whatsoever. Evidences of appropriation obligation, including the principal thereof and interest thereon, shall be payable only from amounts that the legislature may, from year to year, appropriate for the payment thereof.

(5) Procedures. (a) No evidence of appropriation obligation may be issued by the state unless the issuance is pursuant to a written authorizing certification. The certification shall set forth the aggregate principal amount of appropriation
obligations authorized thereby, the manner of sale of the evidences of appropriation
obligation, and the form and terms thereof. The certification shall be signed by the
secretary, or his or her designee, and shall be transmitted to the governor and the
state treasurer.

(b) Appropriation obligations may be sold at either public or private sale and
may be sold at any price or percentage of par value. The department may provide
in any authorizing certification for refunding obligations under sub. (7) that they be
exchanged privately in payment and discharge of any of the outstanding obligations
being refinanced. All appropriation obligations sold at public sale shall be noticed
as provided in the authorizing certification. Any bid received at public sale may be
rejected.

(6) Form. (a) Evidences of appropriation obligation may be in the form of
bonds, notes, or other evidences of obligation, and may be issued in book−entry form
or in certificated form. Notwithstanding s. 403.104 (1), every evidence of
appropriation obligation is a negotiable instrument.

(b) Every evidence of appropriation obligation shall be executed in the name
of and for the state by the governor and the state treasurer and shall be sealed with
the great seal of the state or a facsimile thereof. The facsimile signature of either the
governor or state treasurer, or both, may be imprinted in lieu of the manual signature
of such officer, as the department directs, if approved by such officer. An evidence
of appropriation obligation bearing the manual or facsimile signature of a person in
office at the time such signature was signed or imprinted shall be fully valid
notwithstanding that before or after the delivery thereof such person ceased to hold
such office.
(c) Every evidence of appropriation obligation shall be dated not later than the date issued, shall contain a reference by date to the appropriate authorizing certification, shall state the limitation established in sub. (4) (g), and shall be in accordance with the authorizing certification.

(d) An evidence of appropriation obligation shall be in such form and contain such statements or terms as determined by the department, and may not conflict with law or with the appropriate authorizing certification.

(7) Refunding obligations. (a) 1. The department may authorize the issuance of appropriation obligation refunding obligations. Refunding obligations may be issued, subject to any contract rights vested in owners of obligations being refinanced, to refinance all or any part of one or more issue of obligations notwithstanding that the obligations may have been issued at different times. The principal amount of the refunding obligations may not exceed the sum of: the principal amount of the obligations being refinanced; applicable redemption premiums; unpaid interest on the obligations to the date of delivery or exchange of the refunding obligations; in the event the proceeds are to be deposited in trust as provided in par. (c), interest to accrue on the obligations from the date of delivery to the date of maturity or to the redemption date selected by the department, whichever is earlier; and the expenses incurred in the issuance of the refunding obligations and the payment of the obligations.

2. A determination by the department that a refinancing is advantageous or that any of the amounts provided subd. 1. should be included in the refinancing shall be conclusive.

(b) If the department determines to exchange refunding obligations, they may be exchanged privately for and in payment and discharge of any of the outstanding
obligations being refinanced. Refunding obligations may be exchanged for such
principal amount of the obligations being exchanged therefor as may be determined
by the department to be necessary or advisable. The owners of the obligations being
refunded who elect to exchange need not pay accrued interest on the refunding
obligations if and to the extent that interest is accrued and unpaid on the obligations
being refunded and to be surrendered. If any of the obligations to be refinanced are
to be called for redemption, the department shall determine which redemption dates
are to be used, if more than one date is applicable and shall, prior to the issuance of
the refunding obligations, provide for notice of redemption to be given in the manner
and at the times required by the certification authorizing the outstanding
obligations.

(c) 1. The principal proceeds from the sale of any refunding obligations shall
be applied either to the immediate payment and retirement of the obligations being
refinanced or, if the obligations have not matured and are not presently redeemable,
to the creation of a trust for and shall be pledged to the payment of the obligations
being refinanced.

2. If a trust is created, a separate deposit shall be made for each issue of
appropriation obligations being refinanced. Each deposit shall be with the state
treasurer or a bank or trust company that is a member of the Federal Deposit
Insurance Corporation. If the total amount of any deposit, including money other
than sale proceeds but legally available for such purpose, is less than the principal
amount of the obligations being refinanced and for the payment of which the deposit
has been created and pledged, together with applicable redemption premiums and
interest accrued and to accrue to maturity or to the date of redemption, then the
application of the sale proceeds shall be legally sufficient only if the money deposited
is invested in securities issued by the United States or one of its agencies, or securities fully guaranteed by the United States, and only if the principal amount of the securities at maturity and the income therefrom to maturity will be sufficient and available, without the need for any further investment or reinvestment, to pay at maturity or upon redemption the principal amount of the obligations being refinanced together with applicable redemption premiums and interest accrued and to accrue to maturity or to the date of redemption. The income from the principal proceeds of the securities shall be applied solely to the payment of the principal of and interest and redemption premiums on the obligations being refinanced, but provision may be made for the pledging and disposition of any surplus.

3. Nothing in this paragraph may be construed as a limitation on the duration of any deposit in trust for the retirement of obligations being refinanced that have not matured and that are not presently redeemable. Nothing in this paragraph may be construed to prohibit reinvestment of the income of a trust if the reinvestments will mature at such times that sufficient cash will be available to pay interest, applicable premiums, and principal on the obligations being refinanced.

(8) Fiscal regulations. (a) The state treasurer shall act as registrar for each evidence of appropriation obligation. No transfer of a registered evidence of appropriation obligation is valid unless made on a register maintained by the state treasurer, and the state may treat the registered owner as the owner of the instrument for all purposes. Payments of principal and interest shall be by electronic funds transfer, check, share draft, or other draft to the registered owner at the owner’s address as it appears on the register, unless the department has otherwise provided. Information in the register is not available for inspection and copying under s. 19.35 (1). The department may make any other provision respecting
registration as it considers necessary or useful. The state treasurer may enter into a contract for the performance of any of his or her functions relating to appropriation obligations.

(b) The state treasurer, or the treasurer’s agent, shall maintain records containing a full and correct description of each evidence of appropriation obligation issued, identifying it, and showing its date, issue, amount, interest rate, payment dates, payments made, registration, destruction, and every other relevant transaction.

(c) The secretary may appoint one or more trustees and fiscal agents for each issue of appropriation obligations. The state treasurer may be denominated the trustee and the sole fiscal agent or a cofiscal agent for any issue of appropriation obligations. Every other fiscal agent shall be an incorporated bank or trust company authorized by the laws of the United States or of the state in which it is located to do a banking or trust company business. There may be deposited with a trustee, in a special account, moneys to be used only for the purposes expressly provided in the certification authorizing the issuance of evidences of appropriation obligation or an agreement between the department and the trustee. The department may make other provisions respecting trustees and fiscal agents as the department considers necessary or useful and may enter into a contract with any trustee or fiscal agent containing such terms, including compensation, and conditions in regard to the trustee or fiscal agent as the department considers necessary or useful.

(d) If any evidence of appropriation obligation is destroyed, lost, or stolen, the department shall execute and deliver a new evidence of appropriation obligation, upon filing with the department evidence satisfactory to the department that the evidence of appropriation obligation has been destroyed, lost, or stolen, upon
providing proof of ownership thereof, and upon furnishing the department with indemnity satisfactory to it and complying with such other rules of the department and paying any expenses that the department or the state treasurer may incur. The department shall cancel the evidences of appropriation obligation surrendered to the department.

(e) Unless otherwise directed by the department, every evidence of appropriation obligation paid or otherwise retired shall be marked “canceled” and delivered, through the state treasurer if delivered to a fiscal agent other than the state treasurer, to the state auditor who shall destroy them and deliver to the state treasurer a certificate to that effect.

(9) Appropriation obligations as legal investments. Any of the following may legally invest any sinking funds, moneys, or other funds belonging to them or under their control in any appropriation obligations issued under this section:

(a) The state, the investment board, public officers, municipal corporations, political subdivisions, and public bodies.

(b) Banks and bankers, savings and loan associations, credit unions, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations, and other persons carrying on a banking or insurance business.

(c) Personal representatives, guardians, trustees, and other fiduciaries.

(10) Moral obligation pledge. Recognizing its moral obligation to do so, the legislature expresses its expectation and aspiration that it shall make timely appropriations from moneys in the general fund that are sufficient to pay the principal and interest due with respect to any appropriation obligations in any year.

Section 183. 16.53 (1) (d) 1. of the statutes is amended to read:
16.53 (1) (d) 1. The secretary, with the approval of the joint committee on employment relations, shall fix the time, except as provided in ss. 106.21 (9) (c) and s. 106.215 (10) (c), and frequency for payment of salaries due elective and appointive officers and employees of the state. As determined under this subdivision, the salaries shall be paid either monthly, semimonthly or for each 2–week period.

SECTION 184. 16.53 (5) of the statutes is amended to read:

16.53 (5) WARRANTS; WHAT TO SPECIFY. The secretary shall draw a warrant on the state treasurer payable to the claimant for the amount allowed by the secretary upon every claim audited under sub. (1), except as authorized in s. 16.52 (7), 20.920, or 20.929, specifying from what fund to be paid, the particular law which that authorizes the claim to be paid out of the state treasury, and at the secretary’s discretion the post-office address of the payee. The secretary shall not credit the treasurer for any sum of money paid out by the treasurer. No moneys may be paid out of the state treasury under this section other than upon such warrants.

SECTION 185. 16.53 (10) (a) of the statutes is amended to read:

16.53 (10) (a) If an emergency arises which requires the department to draw vouchers for payments which will be in excess of available moneys in any state fund, the secretary, in consultation with the state treasurer, and after notifying the joint committee on finance under par. (b), may prorate and establish priority schedules for all payments within each fund, including those payments for which a specific payment date is provided by statute, except as otherwise provided in this paragraph. The secretary shall draw all vouchers according to the preference provided in this paragraph. All direct or indirect payments of principal or interest on state bonds and notes issued under subch. I of ch. 18 have first priority. All direct or indirect payments of principal or interest on state notes issued under subch. III of ch. 18 have
2nd priority. No payment having a 1st or 2nd priority may be prorated or reduced under this subsection. All state employee payrolls have 3rd priority. The secretary shall draw all remaining vouchers according to a priority determined by the secretary. The secretary shall maintain records of all claims prorated under this subsection and shall provide written notice to the state treasurer when a potential cash flow emergency is anticipated.

**SECTION 186.** 16.53 (10) (b) of the statutes is amended to read:

16.53 (10) (b) Before exercising authority under par. (a) the secretary shall, after consultation with the state treasurer, notify the joint committee on finance as to the need for and the procedures under which proration or priority schedules under par. (a) shall occur. If the joint committee on finance has not, within 2 working days after the notification, scheduled a meeting to review the secretary’s proposal, the secretary may proceed with the proposed action. If, within 2 working days after the notification, the committee schedules a meeting, the secretary may not proceed with the proposed action until after the meeting is held.

**SECTION 187.** 16.53 (13) (a) of the statutes is amended to read:

16.53 (13) (a) In this subsection, “agency” has the meaning given in s. 16.70 (1e).

**SECTION 188.** 16.54 (2) (b) of the statutes is amended to read:

16.54 (2) (b) Upon presentation by the department to the joint committee on finance of alternatives to the provisions under s. 16.385 16.27, the joint committee on finance may revise the eligibility criteria under s. 16.385 16.27 (5), benefit payments under s. 16.385 16.27 (6) or the amount allocated for crises under s. 16.385 16.27 (3) (e) 2. and the department shall implement those revisions. Benefits or eligibility criteria so revised shall take into account and be consistent with the
requirements of federal regulations promulgated under 42 USC 8621 to 8629. If funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90% of the amount received in the previous federal fiscal year, the department shall submit to the joint committee on finance a plan for expenditure of the funds. The department may not use the funds unless the committee approves the plan.

Section 189. 16.545 (9) of the statutes is amended to read:

16.545 (9) To initiate contacts with the federal government for the purpose of facilitating participation by agencies, as defined in s. 16.70 (1) (1e), in federal aid programs, to assist those agencies in applying for such aid, and to facilitate influencing the federal government to make policy changes that will be beneficial to this state. The department may assess an agency to which it provides services under this subsection a fee for the expenses incurred by the department in providing those services.

Section 190. 16.61 (2) (af) of the statutes is amended to read:

16.61 (2) (af) “Form” has the meaning specified in s. 22.04 16.97 (5p).

Section 191. 16.61 (3n) of the statutes is amended to read:

16.61 (3n) EXEMPT FORMS. The board may not receive or investigate complaints about the forms specified in s. 22.03 16.971 (2m).

Section 192. 16.70 (1) of the statutes is renumbered 16.70 (1e).

Section 193. 16.70 (1b) of the statutes is created to read:

16.70 (1b) “Affiliate” means an individual or business that controls, is controlled by, or is under common control with another individual or business.

Section 194. 16.70 (2e) of the statutes is created to read:

16.70 (2e) “Business” means a corporation, partnership, limited liability company, association, or sole proprietorship operated for profit.
SECTION 195. 16.70 (3e) of the statutes is created to read:

16.70 (3e) “Control” means to own, directly or indirectly, more than 10% of the interest in or voting securities of a business.

SECTION 196. 16.70 (3m) of the statutes is amended to read:

16.70 (3m) “Educational technology” has the meaning given in s. 44.70 115.997 (3).

SECTION 197. 16.70 (4m) of the statutes is amended to read:

16.70 (4m) “Information technology” has the meaning given in s. 22.01 16.97 (6).

SECTION 198. 16.70 (15) of the statutes is amended to read:

16.70 (15) “Telecommunications” has the meaning given in s. 22.01 16.97 (10).

SECTION 199. 16.70 (16) of the statutes is created to read:

16.70 (16) “Voting securities” means securities that confer upon the holder the right to vote for the election of members of the board of directors or similar governing body of a business, or are convertible into, or entitle the holder to receive upon their exercise, securities that confer such a right to vote.

SECTION 200. 16.705 (1m) of the statutes is amended to read:

16.705 (1m) Subsection (1) does not apply to contracts entered into by the volunteer fire fighter and emergency medical technician service award board under s. 16.25 560.9813 (4) (b).

SECTION 201. 16.705 (3) (intro.) of the statutes is amended to read:

16.705 (3) (intro.) Contracts for contractual services shall be submitted by the department for the review and approval of the The secretary of employment relations prior to award, under conditions established by rule of the department—The
secretary of employment relations, shall review such contracts for contractual services in order to ensure that agencies:

**SECTION 202.** 16.71 (1m) of the statutes is amended to read:

16.71 (1m) The department shall not delegate to any executive branch agency, other than the board of regents of the University of Wisconsin System, the authority to enter into any contract for materials, supplies, equipment, or contractual services relating to information technology or telecommunications prior to review and approval of the contract by the chief information officer department. The department shall not delegate to any executive branch agency the authority to enter into any contract for materials, supplies, equipment, or contractual services relating to telecommunications prior to review and approval of the contract by the department. No executive branch agency, other than the board of regents of the University of Wisconsin System, may enter into any such contract for which review is required under this subsection without review and approval of the contract by the chief information officer department.

**SECTION 203.** 16.71 (2m) of the statutes is repealed.

**SECTION 204.** 16.71 (4) of the statutes is amended to read:

16.71 (4) With the approval of the department of electronic government Upon request of the department of public instruction, the department of administration shall delegate authority to the technology for educational achievement in Wisconsin board department of public instruction to make purchases of educational technology equipment for use by school districts, cooperative educational service agencies, and public educational institutions in this state, upon request of the board and to enter into cooperative purchasing agreements under s. 16.73 (1) under which participating school districts and cooperative educational service agencies may contract for their
professional employees to receive training concerning the effective use of educational
technology.

SECTION 205. 16.71 (5) of the statutes is amended to read:

16.71 (5) The department shall delegate authority to the volunteer fire fighter
and emergency medical technician service award board to enter into contracts under
s. 16.25 560.9813 (4) (b).

SECTION 206. 16.72 (2) (a) of the statutes is amended to read:

16.72 (2) (a) The department of administration shall prepare standard
specifications, as far as possible, for all state purchases. By “standard specifications”
is meant a specification, either chemical or physical or both, prepared to describe in
detail the article which the state desires to purchase, and trade names shall not be
used. On the formulation, adoption and modification of any standard specifications,
the department of administration shall also seek and be accorded without cost, the
assistance, advice and cooperation of other agencies and officers. Each specification
adopted for any commodity shall, insofar as possible, satisfy the requirements of any
and all agencies which use it in common. Any specifications for the purchase of
materials, supplies, equipment, or contractual services for information technology
or telecommunications purposes are subject to the approval of the chief information
officer.

SECTION 207. 16.72 (2) (b) of the statutes is amended to read:

16.72 (2) (b) Except as provided in par. (a) and ss. 16.25 (4) (b), 16.751 and,
560.9813 (4) (b), and 565.25 (2) (a) 4., the department shall prepare or review
specifications for all materials, supplies, equipment, other permanent personal
property and contractual services not purchased under standard specifications.
Such “nonstandard specifications” may be generic or performance specifications, or
both, prepared to describe in detail the article which the state desires to purchase either by its physical properties or by its programmatic utility. When appropriate for such nonstandard items or services, trade names may be used to identify what the state requires, but wherever possible 2 or more trade names shall be designated and the trade name of any Wisconsin producer, distributor or supplier shall appear first.

SECTION 208. 16.72 (4) (a) of the statutes is amended to read:

16.72 (4) (a) Except as provided in ss. 16.71 and 16.74 or as otherwise provided in this subchapter and the rules promulgated under s. 16.74 and this subchapter, all supplies, materials, equipment and contractual services shall be purchased for and furnished to any agency only upon requisition to the department. The department shall prescribe the form, contents, number and disposition of requisitions and shall promulgate rules as to time and manner of submitting such requisitions for processing. No agency or officer may engage any person to perform contractual services without the specific prior approval of the department for each such engagement. Purchases of supplies, materials, equipment or contractual services by the department of electronic government, the legislature, the courts or legislative service or judicial branch agencies do not require approval under this paragraph.

SECTION 209. 16.72 (4) (b) of the statutes is amended to read:

16.72 (4) (b) The department shall promulgate rules for the declaration as surplus of supplies, materials and equipment in any agency and for the transfer to other agencies or for the disposal by private or public sale of supplies, materials and equipment. In either case due credit shall be given to the agency releasing the same, the department shall deposit the net proceeds in the budget stabilization fund, except that the department shall transfer any supplies, materials or equipment
declared to be surplus to the department of tourism, upon request of the department
of tourism, at no cost, if the transfer is permitted by the agency having possession
of the supplies, materials or equipment.

**SECTION 210.** 16.72 (8) of the statutes is amended to read:

16.72 (8) The department may purchase educational technology materials,
supplies, equipment, or contractual services from orders placed with the department
by the technology for educational achievement in Wisconsin board department of
public instruction on behalf of school districts, cooperative educational service
agencies, technical college districts, and the board of regents of the University of
Wisconsin System.

**SECTION 211.** 16.75 (1) (a) 1. of the statutes is amended to read:

16.75 (1) (a) 1. All orders awarded or contracts made by the department for all
materials, supplies, equipment, and contractual services to be provided to any
agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),
(6), (7), (8), and (9), and (10m) and ss. 16.73 (4) (a), 16.751, 16.754, 16.964 (8), 50.05
(7) (f), and 287.15 (7), shall be awarded to the lowest responsible bidder, taking into
consideration life cycle cost estimates under sub. (1m), when appropriate, the
location of the agency, the quantities of the articles to be supplied, their conformity
with the specifications, and the purposes for which they are required and the date
of delivery.

**SECTION 212.** 16.75 (3t) (a) of the statutes is amended to read:

16.75 (3t) (a) In this subsection, “form” has the meaning given under s. 22.01
16.97 (5p).

**SECTION 213.** 16.75 (6) (am) of the statutes is amended to read:
16.75 (6) (am) Subsections (1) and (3t) do not apply to procurements by the 
department of electronic government relating to information technology 
or telecommunications. Annually not later than October 1, the department of 
electronic government shall report to the department of administration governor, in 
the form specified by the secretary governor, concerning all procurements relating 
to information technology or telecommunications by the department of electronic 
government during the preceding fiscal year that were not made in 
accordance with the requirements of subs. (1) and (3t).

SECTION 214. 16.75 (10m) of the statutes is created to read:

16.75 (10m) The department, any other designated purchasing agent under s. 
16.71 (1), any agency making purchases under s. 16.74, and any authority shall not 
enter into any contract or order for the purchase of materials, supplies, equipment, 
or contractual services with a person if the name of the person, or the name of an 
affiliate of that person, is certified to the department by the secretary of revenue 
under s. 77.66.

SECTION 215. 16.752 (12) (i) of the statutes is amended to read:

16.752 (12) (i) Paragraph (a) does not apply to procurements by the department 
of electronic government relating to information technology or telecommunications.

SECTION 216. 16.78 (title) of the statutes is amended to read:

16.78 (title) Purchases from department of electronic government 
relating to information technology or telecommunications.

SECTION 217. 16.78 (1) of the statutes is renumbered 16.78 (1) (a) and amended 
to read:

16.78 (1) (a) Every agency except as authorized in par. (b), every agency other than 
the board of regents of the University of Wisconsin System or an agency making
purchases under s. 16.74 shall make all purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the department of electronic government, unless. Except as authorized in par. (b), every agency except an agency making purchases under s. 16.74 shall make all purchases of materials, supplies, equipment, and contractual services relating to telecommunications from the department.

(b) Paragraph (a) does not apply if the department of electronic government requires the agency to purchase the materials, supplies, equipment, or contractual services pursuant to a master contract established under s. 22.05 16.972 (2) (h), or grants written authorization to the agency to procure the materials, supplies, equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual services from another agency or to provide the materials, supplies, equipment, or contractual services to itself. The board of regents of the University of Wisconsin System may make purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the department of electronic government.

SECTION 218. 16.78 (2) of the statutes is amended to read:

16.78 (2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase of materials, supplies, equipment, or contractual services by any agency from the department of electronic government under sub. (1) (a).

SECTION 219. 16.836 of the statutes is repealed.

SECTION 220. 16.84 (14) of the statutes is amended to read:

16.84 (14) Provide interagency mail delivery service for agencies, as defined in s. 16.70 (4) (1e). The department may charge agencies for this service. Any moneys collected shall be credited to the appropriation account under s. 20.505 (1) (kb).
SECTION 221. 16.841 (1) (a) of the statutes is amended to read:

16.841 (1) (a) “Agency” has the meaning given in s. 16.70 (1) (1e).

SECTION 222. 16.855 (16) (b) 1. of the statutes is amended to read:

16.855 (16) (b) 1. In this paragraph, “agency” has the meaning given in s. 16.70 (1) (1e).

SECTION 223. 16.957 (3) (a) of the statutes is amended to read:

16.957 (3) (a) The division of housing department shall, on the basis of competitive bids, contract with community action agencies described in s. 46.30 (2) (a) 1., nonstock, nonprofit corporations organized under ch. 181 or local units of government to provide services under the programs established under sub. (2) (a).

SECTION 224. 16.964 (1) of the statutes is renumbered 16.964 (1g).

SECTION 225. 16.964 (1g) (i) of the statutes is created to read:

16.964 (1g) (i) Apply for contracts and receive and expend any moneys or grant from the federal government related to homeland security.

SECTION 226. 16.964 (2) of the statutes is amended to read:

16.964 (2) All persons in charge of law enforcement agencies and other criminal and juvenile justice system agencies shall supply the office with the information described in sub. (1) (1g) (g) on the basis of the forms or instructions or both to be supplied by the office under sub. (1) (1g) (g).

SECTION 227. 16.964 (6) (a) of the statutes is renumbered 16.964 (1d) and amended to read:

16.964 (1d) In this subsection, “tribe” means a federally recognized American Indian tribe or band in this state.

SECTION 228. 16.964 (6) (b) of the statutes is amended to read:
16.964 (6) (b) From the appropriation under s. 20.505 (6) (ks) (kq), the office shall provide grants to tribes to fund tribal law enforcement operations. To be eligible for a grant under this subsection, a tribe must submit an application for a grant to the office that includes a proposed plan for expenditure of the grant moneys. The office shall review any application and plan submitted to determine whether that application and plan meet the criteria established under par. (c). The office shall review the use of grant money provided under this subsection to ensure that the money is used according to the approved plan.

SECTION 229. 16.964 (7) of the statutes is repealed and recreated to read:

16.964 (7) (a) From the appropriation under s. 20.505 (6) (kq), the office of justice assistance shall provide grants for cooperative county–tribal law enforcement services to counties that have one or more federally recognized American Indian reservations within or partially within their boundaries or that border on one or more federally recognized American Indian reservations. In order to receive aid under this subsection, a county must enter into an agreement in accordance with s. 59.54 (12) with an Indian tribe that is located in or borders on the county, to establish a cooperative county–tribal law enforcement program. The office shall consider a request for aid under this subsection from any county that meets the eligibility criteria established under this paragraph and that submits to the office a proposal for expenditure of grant moneys.

(b) The office may require that a county include the following in its proposal for aid under this subsection:

1. A description of any cooperative county–tribal law enforcement program or law enforcement service for which the county requests funding.
2. A description of the population and geographic area that the county proposes to serve.

3. The county’s need for funding under this subsection and the amount of funding requested.

4. Identification of the county governmental unit that shall administer any aid received under this subsection and a description of how that governmental unit shall disburse any aid received under this subsection.

5. Any information, other than that in subds. 1. to 4., that is required by the office or considered relevant by the county submitting the application.

(c) The office shall develop criteria and procedures for use in administering this subsection. Notwithstanding s. 227.10 (1), the criteria and procedures need not be promulgated as rules under ch. 227.

SECTION 230. 16.964 (9) (intro.) of the statutes is created to read:

16.964 (9) (intro.) From the appropriation under s. 20.505 (6) (p), the office shall distribute the following grants for children’s community programs:

SECTION 231. Subchapter VII (title) of chapter 16 [precedes 16.97] of the statutes is amended to read:

CHAPTER 16

SUBCHAPTER VII

EDUCATIONAL INFORMATION

TECHNOLOGY

SECTION 232. 16.97 of the statutes is renumbered 16.97 (intro.) and amended to read:

16.97 Definition Definitions. (intro.) In this subchapter, “telecommunications” has the meaning given in s. 22.01 (10).
SECTION 233. 16.974 (intro.) of the statutes is repealed.

SECTION 234. 16.974 (1) of the statutes is amended to read:

16.974 (1) Coordinate with the technology for educational achievement in Wisconsin board department of public instruction to provide secured correctional facilities, as defined in s. 44.70 115.997 (3r), school districts, and cooperative educational service agencies with telecommunications access under s. 44.73 115.9995 and contract with telecommunications providers to provide such that access.

SECTION 235. 16.974 (1) to (4) of the statutes, as affected by 2003 Wisconsin Act .... (this act), are renumbered 16.971 (13) to (16).

SECTION 236. 16.974 (2) of the statutes is amended to read:

16.974 (2) Subject to s. 44.73 (5), coordinate Coordinate with the technology for educational achievement in Wisconsin board department of public instruction to provide private colleges, technical college districts, public library boards and, public library systems, and public museums with telecommunications access under s. 44.73 115.9995 and contract with telecommunications providers to provide such that access.

SECTION 237. 16.974 (3) of the statutes is amended to read:

16.974 (3) Coordinate with the technology for educational achievement in Wisconsin board department of public instruction to provide private schools with telecommunications access under s. 44.73 115.9995 and contract with telecommunications providers to provide such that access.

SECTION 238. 16.974 (4) of the statutes is amended to read:

16.974 (4) Coordinate with the technology for educational achievement in Wisconsin board department of public instruction to provide the Wisconsin Center
for the Blind and Visually Impaired and the Wisconsin Educational Services Program for the Deaf and Hard of Hearing with telecommunications access under s. 44.73 115.9995 and contract with telecommunications providers to provide such access.

Section 239. 18.01 (4) (intro.) of the statutes is amended to read:

18.01 (4) (intro.) “Public debt” or “debt” means every voluntary, unconditional undertaking by the state, other than an operating note or an interest exchange agreement, to repay a sum certain:

Section 240. 18.06 (8) (a) of the statutes is renumbered 18.06 (8) (a) (intro.) and amended to read:

18.06 (8) (a) (intro.) The At the time of, or in anticipation of, contracting public debt and at any time thereafter while the public debt is outstanding, the commission may enter into agreements and ancillary arrangements for relating to the public debt, including liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, guaranty agreements, reimbursement agreements, indexing agreements, or interest exchange agreements. At the time of contracting for any such agreement or ancillary arrangement, the commission shall determine all of the following, if applicable:

Section 241. 18.06 (8) (a) 1. of the statutes is created to read:

18.06 (8) (a) 1. For any payment to be received with respect to the agreement or ancillary arrangement, whether the payment will be deposited into the bond security and redemption fund or the capital improvement fund.

Section 242. 18.06 (8) (a) 2. of the statutes is created to read:

18.06 (8) (a) 2. For any payment to be made with respect to the agreement or ancillary arrangement, whether the payment will be made from the bond security
and redemption fund or the capital improvement fund and the timing of any transfer of funds.

SECTION 243. 18.07 (2) of the statutes is amended to read:

18.07 (2) Every loan agreement entered into pursuant to s. 18.06 (2) and every evidence of indebtedness given under such a loan agreement shall be executed in the name of and for the state by the secretary of the commission. Every other evidence of indebtedness shall be executed in the name of and for the state by the governor and by the state treasurer and shall be sealed with the great seal of the state or a facsimile thereof of any size, and every interest coupon appurtenant thereto shall be executed in the name of and for the state by the governor. The facsimile signature of either the governor or state treasurer or both may be imprinted in lieu of the manual signature of such officer, as the commission directs, if approved by such officer, and shall be so imprinted in the case of interest coupons. Evidence of indebtedness and interest coupons appurtenant thereto bearing the manual or facsimile signature of a person in office at the time such signature was signed or imprinted shall be fully valid notwithstanding that before or after the delivery thereof such person ceased to hold such office.

SECTION 244. 18.08 (1) (a) of the statutes is renumbered 18.08 (1) (a) (intro.) is amended to read:

18.08 (1) (a) (intro.) All moneys resulting from the contracting of public debt or any payment to be received with respect to any agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt shall be credited to a separate and distinct fund, established in the state treasury, designated as the capital improvement fund, except that such:
1. Such moneys which represent premium and accrued interest on bonds or notes issued, or are for purposes of funding or refunding bonds pursuant to s. 18.06 (5) shall be credited to one or more of the sinking funds of the bond security and redemption fund or to the state building trust fund; and

SECTION 245. 18.08 (1) (a) 2. of the statutes is created to read:

18.08 (1) (a) 2. Any such moneys that represent premium or any payments received pursuant to any agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt may be credited to one or more of the sinking funds of the bond security and redemption fund or to the capital improvement fund as determined by the commission.

SECTION 246. 18.08 (2) of the statutes is amended to read:

18.08 (2) The capital improvement fund may be expended, pursuant to appropriations, only for the purposes and in the amounts for which the public debts have been contracted, for the payment of principal and interest on loans or on notes, for the payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt, for the purposes identified under s. 20.867 (2) (v) and (4) (q), and for expenses incurred in contracting public debt.

SECTION 247. 18.08 (4) of the statutes is amended to read:

18.08 (4) If at any time it appears that there will not be on hand in the capital improvement fund sufficient moneys for the payment of principal and interest on loans or on notes or for the payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any public debt, the department of administration shall transfer to such fund, out of the appropriation
made pursuant to s. 20.866, a sum sufficient which, together with any available
money on hand in such fund, is sufficient to make such payment.

Section 248. 18.09 (2) of the statutes is amended to read:

18.09 (2) Each sinking fund shall be expended, and all moneys from time to
time on hand therein are irrevocably appropriated, in sums sufficient, only for the
payment of principal and interest on the bonds giving rise to it and premium, if any,
due upon redemption of any such bonds, and payment due, if any, under
an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with
respect to any such bonds.

Section 249. 18.10 (4) of the statutes is amended to read:

18.10 (4) Debt held by state. All evidence of indebtedness owned or held by
any state fund shall be deemed to be outstanding in all respects and the agency
having such fund under its control shall have the same rights with respect to such
evidence of indebtedness as a private party, but if any sinking fund acquires bonds
which gave rise to such fund, such bonds shall be deemed paid for all purposes and
no longer outstanding and, together with any interest coupons appurtenant thereto,
shall be canceled as provided in sub. (11). All evidence of indebtedness owned by any
state fund shall be registered to the fullest extent registrable.

Section 250. 18.10 (5) of the statutes is amended to read:

18.10 (5) Registration. The state treasurer shall act as registrar for evidence
evidences of indebtedness registrable as to principal or interest or both. No transfer
of a registered evidence of indebtedness is valid unless made on the register
maintained by the state treasurer for that purpose, and the state shall be entitled
to treat the registered owner as the owner of such instrument for all purposes.
Payments of principal and interest, when registered as to interest, of registered
instruments shall be by electronic funds transfer, check, share draft or other draft to the registered owner at the owner's address as it appears on the register, unless the commission has otherwise provided. Information in the register relating to the owners of evidence of indebtedness is not available for inspection and copying under s. 19.35 (1). The commission may make such other provisions respecting registration as it deems necessary or useful. The state treasurer may enter into a contract for the performance of any of his or her functions under this subsection and sub. (7).

SECTION 251. 18.10 (8) of the statutes is amended to read:

18.10 (8) TRUSTEES AND FISCAL AGENTS. The commission may appoint one or more trustees and fiscal agents for each issue of bonds or notes. The state treasurer may be denominated the trustee and the sole fiscal agent or a cofiscal agent for any issue of bonds or notes. Every other such fiscal agent shall be an incorporated bank or trust company authorized by the laws of the United States or of the state in which it is located to do a banking or trust company business. The commission shall periodically require competitive proposals, under procedures established by the commission, for fiscal agent services and, in so doing, shall consult the state treasurer. There may be deposited with a trustee, in a special account administered as provided in this chapter, moneys to be used only for the purposes expressly provided in a resolution authorizing the issuance of debt or an agreement between the commission and the trustee. There may be deposited with a fiscal agent, in a special account for such purpose only, a sum estimated to be sufficient to enable such fiscal agent to pay the principal and interest on public debt which will come due not more than 15 days after the date of such deposit. The commission may make such other provisions respecting trustees and fiscal agents as it deems necessary or useful and may enter into a contract with any trustee or fiscal agent containing such terms,
including compensation, and conditions in regard to the trustee or fiscal agent as it
deems necessary or useful.

Section 252. 18.51 of the statutes is amended to read:

18.51 Provisions applicable. The following sections apply to this
subchapter, except that all references to “public debt” or “debt” shall be read to refer
to a “revenue obligation” and all references to “evidences of indebtedness” shall be
read to refer to “evidences of revenue obligation”: ss. 18.02, 18.03, 18.06 (8), 18.07,
18.10 (1), (2), (4) to (9) and, (11), and (12), and 18.17.

Section 253. 18.52 (1) of the statutes is renumbered 18.52 (1m).

Section 254. 18.52 (1e) of the statutes is created to read:

18.52 (1e) “Ancillary payments” means payments for issuance costs and
expenses, payments under contracts entered into under s. 18.55 (6), payments of
accrued or funded interest, and payments of other costs and expenses of
administering revenue obligations.

Section 255. 18.53 (4) of the statutes is repealed and recreated to read:

18.53 (4) Unless otherwise provided in laws applicable to the issuance of a
specific revenue obligation, in addition to the requirements established under sub.
(3), the commission shall establish the amounts required for ancillary payments and
establishment of reserves relating to the revenue obligations.

Section 256. 18.54 (2) of the statutes is amended to read:

18.54 (2) The amount of evidences of revenue obligation issued or outstanding
for purposes specified by the legislature under s. 18.53 (3) and (4) are subject only
to the limits provided in the legislation which authorizes that revenue obligation.
No refunding obligation is subject to any limitation specified by that legislation.

Section 257. 18.55 (5) of the statutes is amended to read:
18.55 (5) Exercise of Authority. Money may be borrowed and evidences of
revenue obligation issued therefor pursuant to one or more authorizing resolutions,
unless otherwise provided in the resolution or in this subchapter, at any time and
from time to time, for any combination of purposes, in any specific amounts, at any
rates of interest, for any term, payable at any intervals, at any place, in any manner
and having any other terms or conditions deemed necessary or useful. Revenue
obligation bonds may bear interest at variable or fixed rates, bear no interest or bear
interest payable only at maturity or upon redemption prior to maturity. Unless
sooner exercised or unless a shorter different period is provided in the resolution,
every authorizing resolution, except as provided in s. 18.59 (1), shall expire one year
after the date of its adoption.

Section 258. 18.55 (6) of the statutes is created to read:

18.55 (6) Agreements and arrangements; delegation; use of revenue
obligations. (a) At the time of, or in anticipation of, contracting revenue obligations
and at any time thereafter while the revenue obligations are outstanding, the
commission may enter into agreements and ancillary arrangements relating to the
revenue obligations, including trust indentures, liquidity facilities, remarketing or
dealer agreements, letter of credit agreements, insurance policies, guaranty
agreements, reimbursement agreements, indexing agreements, or interest
exchange agreements. Any payment made or received pursuant to any such
agreements or ancillary arrangements shall be made from or deposited into a fund
relating to the relevant revenue obligation, as determined by the commission.

(b) The commission may delegate to other persons the authority and
responsibility to take actions necessary and appropriate to implement agreements
and ancillary arrangements under par. (a).
(c) Any revenue obligations may include revenue obligations contracted to fund interest, accrued or to accrue, on the revenue obligations.

SECTION 258. 18.561 (2) of the statutes is amended to read:

18.561 (2) SECURITY INTERESTS OF OWNERS OF ENTERPRISE OBLIGATIONS. There is a mortgage lien upon or security interest in the income and property of each revenue-producing enterprise or program for the benefit of the owners of the related enterprise obligations and other persons specified in the authorizing resolution providing for the issuance of the particular enterprise obligations. No physical delivery, recordation or other action is required to perfect the security interest. The income and property of the revenue-producing enterprise or program shall remain subject to the lien or security interest until provision for payment in full of the principal of and interest on the enterprise obligations, and other obligations specified in the authorizing resolution providing for the issuance of the particular enterprise obligations, has been made, as provided in the authorizing resolution. The lien or security interest for the benefit of the owners of the enterprise obligations and other persons specified in the authorizing resolution providing for the issuance of the particular enterprise obligations shall have priority over all conflicting security interests in the income and property of the revenue-producing enterprise or program. Any owner of such enterprise obligations may either at law or in equity protect and enforce the lien and compel performance of all duties required by this section. If there is any default in the payment of the principal of or interest on any of such enterprise obligations, any court having jurisdiction of the action may appoint a receiver to administer the revenue-producing enterprise or program on behalf of the state and the owners of the enterprise obligations, with power to charge and collect rates sufficient to provide for the payment of the operating expenses and
also to pay any enterprise obligations outstanding against the revenue-producing enterprise or program, and to apply the income and revenues thereof in conformity with this subchapter and the authorizing resolution, or the court may declare the whole amount of the enterprise obligations due and payable, if such relief is requested, and may order and direct the sale of the revenue-producing enterprise or program. Under any sale so ordered, the purchaser shall be vested with an indeterminate permit to maintain and operate the revenue-producing enterprise or program. The legislature may provide for additions, extensions and improvements to a revenue-producing enterprise or program to be financed by additional issues of enterprise obligations as provided by this section. Such additional issues of enterprise obligations shall be subordinate to all prior related issues of enterprise obligations which may have been made under this section, unless the legislature, in the statute authorizing the initial issue of enterprise obligations, permits the issue of additional enterprise obligations on a parity therewith a particular issue of enterprise obligations, or the authorizing resolution providing for the issuance of a particular enterprise obligation, permits the issue of additional enterprise obligations or other obligations on a parity therewith or senior thereto.

SECTION 260. 18.561 (3) of the statutes is amended to read:

18.561 (3) DEDICATION OF REVENUES. As accurately as possible in advance, the commission and the state department or agency carrying out program responsibilities for which enterprise obligations are to be issued shall determine, and the commission shall fix in the authorizing resolution for such enterprise obligations: the proportion of the revenues of the revenue-producing enterprise or program which shall be necessary for the reasonable and proper operation and maintenance thereof; the proportion of the revenues which shall be set aside as a proper and
adequate replacement and reserve fund; and the proportion of the revenues which shall be set aside and applied to the payment of the principal of and interest of on the enterprise obligations, and ancillary payments authorized to be paid from such moneys; and the proportion of the revenues which shall be available for other purposes, and shall provide that the revenues be set aside in separate funds. At Subject to the provisions and covenants of the authorizing resolution, at any time after one year’s operation, the state department or agency and the commission may recompute the proportion of the revenues which shall be assignable under this subsection based upon the experience of operation or upon the basis of further financing.

SECTION 261. 18.561 (5) of the statutes is amended to read:

18.561 (5) REDEMPTION FUND. The proportion which shall be set aside for the payment of the principal of and interest on the enterprise obligations shall from month to month as they accrue and are received and, as directed by the commission, payments to be received with respect to an agreement or ancillary arrangement entered into pursuant to s. 18.55 (6), shall, at such times as provided in the authorizing resolution, be set apart and paid into a separate fund in the treasury or in an account maintained by a trustee appointed for that purpose in the authorizing resolution to be identified as “the ... redemption fund”. Each redemption fund shall be expended, and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal of and interest on the enterprise obligations giving rise to it and premium, if any, due upon redemption of any such obligations, and for other obligations that are secured by the property or income, or both, of the enterprise or program payment of obligations under an agreement or ancillary arrangement entered into under s. 18.55 (6) to the extent
provided for in an authorizing resolution. Moneys in the redemption funds may be
commingled only for the purpose of investment with other public funds, but they
shall be invested only in investment instruments permitted in s. 25.17 (3) (dr). All
such investments shall be the exclusive property of the fund and all earnings on or
income from such investments shall be credited to the fund.

SECTION 262. 18.562 (1) of the statutes is renumbered 18.562 (1) (a) and
amended to read:

18.562 (1) (a) There is a security interest, for the benefit of the owners of the
special fund obligations and other persons specified in the authorizing resolution
providing for the issuance of the particular special fund obligations, in the amounts
that arise after the creation of the special fund program in the special fund related
to the special fund obligations. For this purpose, amounts in the special fund shall
be accounted for on a first-in, first-out basis. No, and no physical delivery,
recordation, or other action is required to perfect the security interest.

(c) The special fund shall remain subject to the security interest until provision
for payment in full of the principal and interest of the special fund obligations, and
other obligations specified in the authorizing resolution providing for the issuance
of the particular special fund obligations, has been made, as provided in the
authorizing resolution.

(d) An owner of special fund obligations may either at law or in equity protect
and enforce the security interest and compel performance of all duties required by
this section.

SECTION 263. 18.562 (1) (b) of the statutes is created to read:

18.562 (1) (b) 1. Except as provided in subd. 2., the security interest for the
benefit of the owners of the special fund obligations and other persons specified in
the authorizing resolution providing for the issuance of the particular special fund obligations shall have priority over all conflicting security interests to the fees, penalties, or excise taxes that are required to be deposited in the special fund.

2. For different special fund obligations secured by the same fees, penalties, or excise taxes, priority shall be established according to the date of issuance of the special fund obligation or the incurrence of the other obligations specified in an authorizing resolution, if applicable, with earlier issuances or incurrences having priority over later issuances or incurrences, unless laws governing the issuance of a particular special fund obligation or the authorizing resolution providing for the issuance of a particular special fund obligation permit later issuances or incurrences on a parity or priority basis.

**SECTION 264.** 18.562 (3) of the statutes is amended to read:

18.562 (3) **Redemption Fund.** The special fund revenues that are to be set aside for the payment of the principal of and interest of on the special fund obligations and, as directed by the commission, payments to be received with respect to an agreement or ancillary arrangement entered into under s. 18.55 (6), shall be paid into a separate fund in the treasury or in an account maintained by a trustee appointed for that purpose in the authorizing resolution to be identified as “the ... redemption fund”. Each redemption fund shall be expended, and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal of and interest on the special fund obligations giving rise to it and premium, if any, due upon redemption of any such obligations, and for other obligations that are secured by any fees, penalties, or excise taxes deposited in the special fund payment of obligations under an agreement or ancillary arrangement entered into under s. 18.55 (6) to the extent provided for in an authorizing resolution. Moneys in
the redemption funds may be commingled only for the purpose of investment with other public funds, but they shall be invested only in investment instruments permitted in s. 25.17 (3) (dr). All such investments shall be the exclusive property of the fund and all earnings on or income from such investments shall be credited to the fund.

**SECTION 265.** 18.57 (1) of the statutes is amended to read:

18.57 (1) A separate and distinct fund shall be established in the state treasury or in an account maintained by a trustee appointed for that purpose by the authorizing resolution with respect to each revenue-producing enterprise or program the income from which is to be applied to the payment of any enterprise obligation. A separate and distinct fund shall be established in the state treasury or in an account maintained by a trustee appointed for that purpose by the authorizing resolution with respect to any special fund program that is created by the imposition of fees, penalties or excise taxes and is applied to the payment financed through the issuance of special fund obligations. All moneys resulting from the issuance of evidences of revenue obligation shall be credited to the appropriate fund, applied for refunding or note renewal purposes, or to make deposits to reserve funds, except that moneys which represent premium or accrued interest or, to the extent provided in the resolution authorizing the issuance of such evidences of revenue obligation, premium received on the issuance of evidences shall be credited to the appropriate redemption fund. As determined by the commission, payments to be received under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to any such issuance of evidences of revenue obligation shall be credited to the appropriate fund.

**SECTION 266.** 18.57 (2) of the statutes is amended to read:
18.57 (2) Moneys in such funds may be expended, pursuant to appropriations, only for the purposes and in the amounts for which borrowed, for the payment of the principal of and interest on related revenue obligations, to make deposits to reserve funds, and for expenses incurred in issuing such obligations to make ancillary payments.

SECTION 267. 18.58 (2) of the statutes is repealed.

SECTION 268. 18.60 (2) of the statutes is amended to read:

18.60 (2) If the commission determines to exchange refunding obligations, they may be exchanged privately for and in payment and discharge of any of the outstanding obligations or notes being refinanced. Refunding obligations may be exchanged for a like or greater principal amount of the obligations or notes being exchanged therefor except that the principal amount of the refunding obligations may exceed the principal amount of the obligations or notes being exchanged therefor only to the extent determined by the commission to be necessary or advisable to pay redemption premiums and unpaid interest to the date of exchange not otherwise provided for such principal amount of the obligations or notes being exchanged therefore as may be determined by the commission to be necessary or advisable. The owners of the obligations or notes being refunded who elect to exchange need not pay accrued interest on the refunding obligations if and to the extent that interest is accrued and unpaid on the obligations or notes being refunded and to be surrendered. If any of the obligations or notes to be refinanced are to be called for redemption, the commission shall determine which redemption dates shall be used, if more than one date is applicable and shall, prior to the issuance of the refunding obligations, provide for notice of redemption to be given in the manner and
at the times required by the proceedings authorizing the outstanding obligations or notes.

**SECTION 269.** 18.60 (3) of the statutes is amended to read:

18.60 (3) The principal proceeds from the sale of any refunding obligations shall be applied either to the immediate payment and retirement of the obligations or notes being refinanced or, if the obligations or notes have not matured and are not presently redeemable, to the creation of a trust for and shall be pledged to the payment of the obligations or notes being refinanced. If a trust is created, a separate deposit shall be made for each issue of obligations or notes being refinanced. Each deposit shall be with the state treasurer or secretary of administration or a bank or trust company that is then a member of the federal deposit insurance corporation. If the total amount of any deposit, including money other than sale proceeds but legally available for such purpose, is less than the principal amount of the obligations or notes being refinanced and for the payment of which the deposit has been created and pledged, together with applicable redemption premiums and interest accrued and to accrue to maturity or to the date of redemption, then the application of the sale proceeds shall be legally sufficient only if the money deposited is invested in securities issued by the United States or one of its agencies, or securities fully guaranteed by the United States, and only if the principal amount of the securities at maturity and the income therefrom to maturity will be sufficient and available, without the need for any further investment or reinvestment, to pay at maturity or upon redemption the principal amount of the obligations or notes being refinanced together with applicable redemption premiums and interest accrued and to accrue to maturity or to the date of redemption. The income from the principal proceeds of the securities shall be applied solely to the payment of the principal of and interest
and redemption premiums on the obligations or notes being refinanced, but provision may be made for the pledging and disposition of any surplus. Nothing in this subsection shall be construed as a limitation on the duration of any deposit in trust for the retirement of obligations or notes being refinanced, but which have not matured and which are not presently redeemable. Nothing in this subsection shall be construed to prohibit reinvestment of the income of a trust if the reinvestments will mature at such times that sufficient cash will be available to pay interest, applicable premiums, and principal on the obligations or notes being refinanced.

SECTION 270. 18.61 (5) of the statutes is amended to read:

18.61 (5) The legislature may provide, with respect to any specific issue of revenue obligations, prior to their issuance, that if the special fund income or the enterprise or program income pledged to the payment of the principal of and interest on the issue is insufficient for that purpose, or is insufficient to replenish a reserve fund, if applicable, it will consider supplying the deficiency by appropriation of funds, from time to time, out of the treasury. If the legislature so provides, the commission may make the necessary provisions therefor in the authorizing resolution and other proceedings of the issue. Thereafter, if the contingency occurs, recognizing its moral obligation to do so, the legislature hereby expresses its expectation and aspiration that it shall make such appropriation.

SECTION 271. 18.70 of the statutes is amended to read:

18.70 Provisions applicable. The following sections apply to this subchapter, except that all references to “public debt”, “debt” or “revenue obligation” are deemed to refer to “operating notes”, all references to “evidence of indebtedness” are deemed to refer to “evidence of operating note”, and all references to “evidences of indebtedness” are deemed to refer to “evidences of operating notes”: ss. 18.03,
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18.06 (8), 18.07, 18.10 (1), (2), (4) to (9) and (11), 18.17, 18.52 (1), 18.58 (2) (1m), 18.61 (1), 18.62 and 18.63.

SECTION 272. 18.73 (5) of the statutes is created to read:

18.73 (5) AGREEMENTS AND ARRANGEMENTS; DELEGATION; USE OF OPERATING NOTES.

(a) At the time of, or in anticipation of, contracting operating notes and at any time thereafter while the operating notes are outstanding, the commission may enter into agreements and ancillary arrangements relating to the operating notes, including liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, guaranty agreements, reimbursement agreements, indexing agreements, or interest exchange agreements. Any payment received pursuant to any such agreements or ancillary arrangements shall be deposited in, and any payments made pursuant to any such agreements or ancillary arrangements will be made from, the general fund or the operating note redemption fund, as determined by the commission.

(b) The commission may delegate to other persons the authority and responsibility to take actions necessary and appropriate to implement agreements and ancillary arrangements under par. (a).

(c) Any operating notes may include operating notes contracted to fund interest, accrued or to accrue, on the operating notes.

SECTION 273. 18.74 of the statutes is amended to read:

18.74 Application of operating note proceeds. All moneys resulting from the contracting of operating notes or any payment to be received under an agreement or ancillary arrangement entered into under s. 18.73 (5) with respect to any such operating notes shall be credited to the general fund, except that moneys which represent premium and accrued interest on operating notes, or moneys for purposes
of funding or refunding operating notes pursuant to s. 18.72 (1) shall be credited to
the operating note redemption fund.

SECTION 274. 18.75 (2) of the statutes is amended to read:

18.75 (2) The operating note redemption fund shall be expended and all
moneys from time to time on hand therein are irrevocably appropriated, in sums
sufficient, only for the payment of principal and interest on operating notes giving
rise to it and premium, if any, due upon refunding or early redemption of such
operating notes, and for the payment due, if any, under an agreement or ancillary
arrangement entered into under s. 18.73 (5) with respect to such operating notes.

SECTION 275. 18.75 (4) of the statutes is amended to read:

18.75 (4) There shall be transferred, under s. 20.855 (1) (a), a sum sufficient
for the payment of the principal, interest and premium due, if any, and for the
payment due, if any, under an agreement or ancillary arrangement entered into
pursuant to s. 18.73 (5) with respect to such operating notes on the operating notes
giving rise to it as the same falls due. Such transfers shall be so timed that there is
at all times on hand in the fund an amount not less than the amount to be paid out
of it during the ensuing 30 days or such other period if so provided for in the
authorizing resolution. The commission may pledge the deposit of additional
amounts at periodic intervals and the secretary of the department may impound
moneys of the general fund, including moneys temporarily reallocated from other
funds under s. 20.002 (11), in accordance with the pledge of revenues in the
authorizing resolution, and all such impoundments are deemed to be payments for
purposes of s. 16.53 (10), but no such impoundment may be made until the amounts
to be paid into the bond security and redemption fund under s. 18.09 during the
ensuing 30 days have been deposited in the bond security and redemption fund.
SECTION 276. 19.36 (4) of the statutes is amended to read:

19.36 (4) COMPUTER PROGRAMS AND DATA. A computer program, as defined in s. 22.03 16.971 (4) (c), is not subject to examination or copying under s. 19.35 (1), but the material used as input for a computer program or the material produced as a product of the computer program is subject to the right of examination and copying, except as otherwise provided in s. 19.35 or this section.

SECTION 277. 19.43 (7) of the statutes is amended to read:

19.43 (7) If an official required to file fails to make a timely filing, the board shall promptly provide notice of the delinquency to the state treasurer, secretary of administration, and to the chief executive of the department of which the official's office or position is a part, or, in the case of a district attorney, to the chief executive of that department and to the county clerk of each county served by the district attorney or in the case of a municipal judge to the clerk of the municipality of which the official's office is a part, or in the case of a justice, court of appeals judge, or circuit judge, to the director of state courts. Upon such notification both the state treasurer and the department, municipality, or director shall withhold all payments for compensation, reimbursement of expenses, and other obligations to the official until the board notifies the officers to whom notice of the delinquency was provided that the official has complied with this section.

SECTION 278. 19.45 (7) (a) 4. of the statutes is amended to read:

19.45 (7) (a) 4. In a matter before the department of revenue or the office of the commissioner of tax appeals that involves the representation of a client in connection with a tax matter.

SECTION 279. 19.45 (11) (a) of the statutes is amended to read:
19.45 (11) (a) The administrator of the division of merit recruitment and
selection in the department of employment relations shall, with the
board’s advice, promulgate rules to implement a code of ethics for classified and
unclassified state employees except state public officials subject to this subchapter,
unclassified personnel in the University of Wisconsin System and officers and
employees of the judicial branch.

**SECTION 280.** 20.003 (4) (e) of the statutes is amended to read:

20.003 (4) (e) For fiscal year 2003–04, 1.6% the amount by which the
appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2003–04 under 2003
Wisconsin Act .... (this act), section 9224 (1), or $35,000,000, whichever is greater.

**SECTION 281.** 20.003 (4) (f) of the statutes is amended to read:

20.003 (4) (f) For fiscal year 2004–05, 1.8% the amount by which the
appropriation under s. 20.435 (4) (b) is reduced for fiscal year 2004–05 under 2003
Wisconsin Act .... (this act), section 9224 (2), or $40,000,000, whichever is greater.

**SECTION 282.** 20.003 (4) (fm) of the statutes is created to read:

20.003 (4) (fm) For fiscal year 2005–06, $75,000,000.

**SECTION 283.** 20.003 (4) (g) of the statutes is amended to read:

20.003 (4) (g) For fiscal year 2005–06 2006–07 and each fiscal year thereafter,
2%.

**SECTION 284.** 20.005 (1) of the statutes is repealed and recreated to read:

20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for
the state of Wisconsin for all funds beginning on July 1, 2003, and ending on June
30, 2005, is summarized as follows: [See Figure 20.005 (1) following]
### GENERAL FUND SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>2003-04</th>
<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening Balance, July 1</td>
<td>$ -292,172,300</td>
<td>$ 35,354,100</td>
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<tr>
<td><strong>Revenues and Transfers</strong></td>
<td></td>
<td></td>
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<tr>
<td>Taxes</td>
<td>$10,746,900,000</td>
<td>$11,350,900,000</td>
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<tr>
<td>Departmental Revenues</td>
<td></td>
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<tr>
<td>New Tribal Gaming Revenues</td>
<td>112,000,000</td>
<td>125,000,000</td>
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<tr>
<td>Other</td>
<td>218,843,900</td>
<td>227,677,100</td>
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<tr>
<td><strong>Total Available</strong></td>
<td>$10,785,571,600</td>
<td>$11,738,931,200</td>
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<tr>
<td><strong>Appropriations, Transfers and Reserves</strong></td>
<td></td>
<td></td>
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<tr>
<td>Gross Appropriations</td>
<td>$10,783,708,900</td>
<td>$11,678,898,200</td>
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<tr>
<td>Compensation Reserves</td>
<td>115,812,900</td>
<td>176,359,600</td>
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<tr>
<td>Transfer to Tobacco Control Fund</td>
<td>15,345,100</td>
<td>15,345,100</td>
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<tr>
<td>Less Lapses</td>
<td>$ -164,649,400</td>
<td>$ -171,873,700</td>
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<tr>
<td><strong>Total Expenditures</strong></td>
<td>$10,750,217,500</td>
<td>$11,698,729,200</td>
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<tr>
<td><strong>Balances</strong></td>
<td></td>
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<tr>
<td>Gross Balance</td>
<td>$ 35,354,100</td>
<td>$ 40,202,000</td>
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<tr>
<td>Less Required Statutory Balance</td>
<td>$ -35,000,000</td>
<td>$ -40,000,000</td>
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<tr>
<td><strong>Net Balance, June 30</strong></td>
<td>$ 354,100</td>
<td>$ 202,000</td>
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<tr>
<td><strong>Structural Balance</strong></td>
<td>$ 327,526,400</td>
<td>$ 4,847,900</td>
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### SUMMARY OF APPROPRIATIONS — ALL FUNDS

<table>
<thead>
<tr>
<th></th>
<th>2003-04</th>
<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Purpose Revenue</td>
<td>$11,578,951,600</td>
<td>$11,670,350,400</td>
</tr>
<tr>
<td>Federal Revenue</td>
<td></td>
<td></td>
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</table>
**SENATE BILL 44**

<table>
<thead>
<tr>
<th></th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>Program Revenue</td>
<td>$4,759,271,300</td>
<td>$4,833,602,200</td>
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<tr>
<td>Segregated Revenue</td>
<td>$716,680,000</td>
<td>$745,123,600</td>
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<tr>
<td></td>
<td>$5,475,951,300</td>
<td>$5,578,725,800</td>
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</tbody>
</table>

Program Revenue

- Nonservice: $2,293,638,000  
  | $2,352,071,600 |
- Service: $729,931,100  
  | $723,413,200 |
| $3,023,569,100  | $3,075,484,800 |

Segregated Revenue

- State nonservice: $2,968,116,600  
  | $2,713,296,900 |
- Local: $72,740,300  
  | $72,081,200 |
- Service: $160,654,400  
  | $165,381,100 |
| $3,201,511,300  | $2,950,759,200 |

**GRAND TOTAL**

|                | $23,279,983,300 | $23,275,320,200 |

**SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

<table>
<thead>
<tr>
<th></th>
<th>2003-04</th>
<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Purpose Revenue</td>
<td>$115,812,900</td>
<td>$176,359,600</td>
</tr>
<tr>
<td>Federal Revenue</td>
<td>29,559,200</td>
<td>45,012,600</td>
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<tr>
<td>Program</td>
<td>25,502,400</td>
<td>38,835,000</td>
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<tr>
<td>Segregated</td>
<td>4,056,800</td>
<td>6,177,600</td>
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<tr>
<td>Program Revenue</td>
<td>88,926,600</td>
<td>135,417,200</td>
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<tr>
<td>Nonservice</td>
<td>81,650,600</td>
<td>124,337,300</td>
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<tr>
<td>Service</td>
<td>7,276,000</td>
<td>11,079,900</td>
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<tr>
<td>Segregated Revenue</td>
<td>17,852,200</td>
<td>27,185,300</td>
</tr>
<tr>
<td>State nonservice</td>
<td>17,811,600</td>
<td>27,123,400</td>
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<tr>
<td>Local</td>
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<td>−0−</td>
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### LOTTERY FUND SUMMARY

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<tr>
<th></th>
<th>2003–04</th>
<th>2004–05</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gross Revenue</strong></td>
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<td></td>
</tr>
<tr>
<td>Ticket Sales</td>
<td>$417,198,100</td>
<td>$418,049,000</td>
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<tr>
<td>Miscellaneous Revenue</td>
<td>$100,600</td>
<td>$100,600</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$417,298,700</td>
<td>$418,149,600</td>
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<tr>
<td><strong>Expenses</strong></td>
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<td></td>
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<tr>
<td>Prizes</td>
<td>$238,113,600</td>
<td>$238,701,200</td>
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<tr>
<td>Administrative Expenses</td>
<td>$64,958,700</td>
<td>$66,237,200</td>
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<tr>
<td><strong>Total</strong></td>
<td>$303,072,300</td>
<td>$304,938,400</td>
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<tr>
<td><strong>Net Proceeds</strong></td>
<td>$114,266,400</td>
<td>$113,211,200</td>
</tr>
<tr>
<td><strong>Total Available for Property Tax Relief</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Opening Balance</td>
<td>$8,256,300</td>
<td>$8,346,000</td>
</tr>
<tr>
<td>Net Proceeds</td>
<td>114,226,400</td>
<td>113,211,200</td>
</tr>
<tr>
<td>Interest Earnings</td>
<td>1,395,300</td>
<td>1,457,100</td>
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<tr>
<td>Gaming–related Revenue</td>
<td>1,348,900</td>
<td>1,311,700</td>
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<tr>
<td><strong>Total</strong></td>
<td>$125,226,900</td>
<td>$124,326,000</td>
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<tr>
<td><strong>Property Tax Relief</strong></td>
<td>$116,880,900</td>
<td>$115,963,000</td>
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</tbody>
</table>
SECTION 284

S E C T I O N 285. 20.005 (2) of the statutes is repealed and recreated to read:

20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following schedule sets forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b) following] 

SUMMARY OF BONDING AUTHORITY MODIFICATIONS
2003-05 FISCAL BIENNium

Source and Purpose | Amount
--- | ---
GENERAL OBLIGATIONS
Agriculture, Trade and Consumer Protection
   Soil and water | $ 7,000,000
Building Commission
   Refunding general obligation debt | 350,000,000
Natural Resources
   Nonpoint source grants | 9,546,800
   Urban nonpoint source cost sharing | 4,700,000
   Environmental repair | 6,000,000
Transportation
   Harbor improvements | 3,000,000
   Rail acquisitions and improvements | 4,500,000
### Source and Purpose

<table>
<thead>
<tr>
<th>Source and Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Veterans Affairs</td>
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<tr>
<td>Refunding bonds</td>
<td>175,000,000</td>
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<tr>
<td><strong>TOTAL General Obligation Bonds</strong></td>
<td>$ 559,746,800</td>
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#### REVENUE OBLIGATIONS

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<th>Administration</th>
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<tr>
<td>Unfunded prior service liability obligations</td>
<td>$ 750,000,000</td>
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<tr>
<td>Tobacco settlement bond purchase program</td>
<td>1,600,000,000</td>
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<tr>
<td><strong>TOTAL Revenue Obligation Bonds</strong></td>
<td>$ 3,888,005,500</td>
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</table>

<table>
<thead>
<tr>
<th>Commerce</th>
<th>Amount</th>
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<tbody>
<tr>
<td>PECFA</td>
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<table>
<thead>
<tr>
<th>Environmental Improvement Program</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Clean water fund program</td>
<td>259,670,000</td>
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</table>

<table>
<thead>
<tr>
<th>Transportation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major highway projects, Marquette Interchange,</td>
<td>1,163,335,500</td>
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<tr>
<td>state highway rehabilitation</td>
<td></td>
</tr>
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</table>

**GRAND TOTAL Bonding Authority Modifications** $ 4,447,752,300

---

**Figure: 20.005 (2) (b)**

### GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE

#### FISCAL YEARS 2003–04 AND 2004–05

<table>
<thead>
<tr>
<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
<th>2003–04</th>
<th>2004–05</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.115 Agriculture, trade and consumer protection, department of</td>
<td></td>
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<td></td>
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<tr>
<td>(2) (d) Principal repayment and interest</td>
<td>GPR</td>
<td>$ 18,900</td>
<td>$ 17,100</td>
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</table>
### Statute, Agency and Purpose

<table>
<thead>
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<th>Statute, Agency and Purpose</th>
<th>Source</th>
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<th>2004–05</th>
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<tr>
<td>(7) (b) Principal repayment and interest, conservation reserve enhancement</td>
<td>GPR</td>
<td>1,560,300</td>
<td>4,140,000</td>
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<td>(7) (f) Principal repayment and interest; soil and water</td>
<td>GPR</td>
<td>502,400</td>
<td>696,100</td>
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<td><strong>20.190 State fair park board</strong></td>
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<tr>
<td>(1) (c) Housing facilities principal repayment, interest and rebates</td>
<td>GPR</td>
<td>927,200</td>
<td>926,000</td>
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<td>(1) (d) Principal repayment and interest</td>
<td>GPR</td>
<td>571,800</td>
<td>1,013,500</td>
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<td><strong>20.225 Educational communications board</strong></td>
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<tr>
<td>(1) (c) Principal repayment and interest</td>
<td>GPR</td>
<td>1,453,900</td>
<td>2,011,300</td>
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<td><strong>20.245 Historical society</strong></td>
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<tr>
<td>(1) (e) Principal repayment, interest, and rebates</td>
<td>GPR</td>
<td>1,259,800</td>
<td>1,210,200</td>
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<tr>
<td><strong>20.250 Medical College of Wisconsin</strong></td>
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<tr>
<td>(1) (c) Principal repayment, interest, and rebates; biomedical research and technology incubator</td>
<td>GPR</td>
<td>–0–</td>
<td>1,405,700</td>
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<td>(1) (e) Principal repayment and interest</td>
<td>GPR</td>
<td>158,800</td>
<td>158,700</td>
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<tr>
<td><strong>20.255 Public instruction, department of</strong></td>
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<td></td>
<td></td>
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<tr>
<td>(1) (d) Principal repayment and interest</td>
<td>GPR</td>
<td>1,229,600</td>
<td>1,123,700</td>
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<tr>
<td>(4) (er) Principal, interest and rebates; general purpose revenue – public library boards</td>
<td>GPR</td>
<td>73,900</td>
<td>159,500</td>
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<tr>
<td>(4) (es) Principal, interest, and rebates; general purpose revenue – schools</td>
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<td>5,197,200</td>
<td>6,467,800</td>
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<tr>
<td>Statute, Agency and Purpose</td>
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<td>2003-04</td>
<td>2004-05</td>
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<td>---------------------------</td>
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<td>---------</td>
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<tr>
<td><strong>20.275 Technology for educational achievement in Wisconsin board</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) (er) Principal, interest and rebates; general purpose revenue – public library boards</td>
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<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(1) (es) Principal, interest and rebates; general purpose revenue – school boards</td>
<td>GPR</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td><strong>20.285 University of Wisconsin System</strong></td>
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<tr>
<td>(1) (d) Principal repayment and interest</td>
<td>GPR</td>
<td>100,798,400</td>
<td>101,057,700</td>
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<td>(1) (db) Self-amortizing facilities principal and interest</td>
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<td>(1) (fh) State laboratory of hygiene; principal repayment and interest</td>
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<td>-0-</td>
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<td><strong>20.320 Environmental improvement program</strong></td>
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<td>(1) (c) Principal repayment and interest – clean water fund program</td>
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<td>33,950,200</td>
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<td>(2) (c) Principal repayment and interest – safe drinking water loan program</td>
<td>GPR</td>
<td>1,450,800</td>
<td>1,711,800</td>
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<tr>
<td>(7) (aa) Resource acquisition and development – principal repayment and interest</td>
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<td>26,702,900</td>
<td>30,162,700</td>
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<td>(7) (ac) Principal repayment and interest – recreational boating bonds</td>
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<td>-0-</td>
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<tr>
<td>(7) (ca) Principal repayment and interest – nonpoint source grants</td>
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<td>(7) (cb) Principal repayment and interest – pollution abatement bonds</td>
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<td>57,109,900</td>
<td>51,506,300</td>
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### Statute, Agency and Purpose

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<td>GPR</td>
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<td>181,000</td>
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<tr>
<td>GPR</td>
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<td>GPR</td>
<td>565,000</td>
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#### 20.395 Transportation, department of

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<tbody>
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<td>GPR</td>
<td>168,900</td>
<td>168,900</td>
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#### 20.410 Corrections, department of

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<tr>
<td>GPR</td>
<td>4,600,000</td>
<td>4,496,600</td>
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#### 20.435 Health and family services, department of

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<td>11,848,400</td>
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<td>GPR</td>
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<tr>
<td>GPR</td>
<td>59,800</td>
<td>54,300</td>
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#### 20.465 Military affairs, department of

<table>
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<tbody>
<tr>
<td>GPR</td>
<td>3,368,600</td>
<td>3,413,600</td>
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#### 20.485 Veterans affairs, department of

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<th>2004–05</th>
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</thead>
<tbody>
<tr>
<td>GPR</td>
<td>–0–</td>
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</tr>
<tr>
<td>STATUTE, AGENCY AND PURPOSE</td>
<td>SOURCE</td>
<td>2003-04</td>
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<tr>
<td>-----------------------------</td>
<td>--------</td>
<td>---------</td>
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<tr>
<td>(1) (f) Principal repayment and interest</td>
<td>GPR</td>
<td>1,511,900</td>
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<tr>
<td><strong>20.505 Administration, department of</strong></td>
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<tr>
<td>(5) (c) Principal repayment and interest; Black Point Estate</td>
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<td>45,000</td>
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<tr>
<td><strong>20.855 Miscellaneous appropriations</strong></td>
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<tr>
<td>(8) (a) Dental clinic and education facility; principal repayment, interest and rebates</td>
<td>GPR</td>
<td>973,100</td>
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<td><strong>20.867 Building commission</strong></td>
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<tr>
<td>(1) (a) Principal repayment and interest; housing of state agencies</td>
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<td>-0-</td>
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<td>(1) (b) Principal repayment and interest; capitol and executive residence</td>
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<td>12,362,900</td>
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<tr>
<td>(3) (a) Principal repayment and interest</td>
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<td>19,684,600</td>
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<td>(3) (b) Principal repayment and interest</td>
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<td>(3) (bm) Principal repayment, interest, and rebates; HR Academy, Inc.</td>
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<td>126,700</td>
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<td>(3) (bp) Principal repayment, interest and rebates</td>
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<td>(3) (br) Principal repayment, interest and rebates</td>
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<td>(3) (bt) Principal repayment, interest, and rebates; Discovery Place Museum</td>
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<tr>
<td>(3) (c) Lease rental payments</td>
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<tr>
<td>(3) (e) Principal repayment, interest and rebates; parking ramp</td>
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<td>-0-</td>
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**TOTAL General Purpose Revenue Debt Service**

$384,939,800 $413,528,900
### Statute, Agency and Purpose

#### 20.190 State Fair Park Board

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<th>Source</th>
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<tr>
<td>(1) (j) State fair principal repayment, interest and rebates</td>
<td>PR</td>
<td>$3,912,500</td>
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#### 20.225 Educational communications board

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<tr>
<th>Source</th>
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<th>2004-05</th>
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<tbody>
<tr>
<td>(1) (i) Program revenue facilities; principal repayment, interest and rebates</td>
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#### 20.245 Historical society

<table>
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<tbody>
<tr>
<td>(1) (j) Self-amortizing facilities; principal repayment, interest and rebates</td>
<td>PR</td>
<td>157,800</td>
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#### 20.255 Public instruction, department of

<table>
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<th>2004-05</th>
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<tr>
<td>(4) (h) Principal, interest, and rebates; program revenue – schools</td>
<td>PR</td>
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<tr>
<td>(4) (hb) Principal, interest, and rebates; program revenue – public library boards</td>
<td>PR</td>
<td>72,700</td>
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#### 20.275 Technology for educational achievement in Wisconsin board

<table>
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<th>2004-05</th>
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</thead>
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<td>(1) (h) Principal, interest and rebates; program revenue – schools</td>
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</tr>
<tr>
<td>(1) (hb) Principal, interest and rebates; program revenue – public library boards</td>
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#### 20.285 University of Wisconsin System

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<th>Source</th>
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<tr>
<td>(1) (ih) State laboratory of hygiene; principal repayment and interest</td>
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<td>(1) (kd) Principal repayment, interest and rebates</td>
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<td>(1) (ke) Lease rental payments</td>
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#### 20.370 Natural resources, department of

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<th>Source</th>
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<td>(7) (ag) Land acquisition – principal repayment and interest</td>
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</table>
STATUTE, AGENCY AND PURPOSE | SOURCE | 2003-04 | 2004-05
--- | --- | --- | ---
(7) (cg) Principal repayment and interest – nonpoint repayments | PR | -0– | -0–

**20.410 Corrections, department of**
(1) (ko) Prison industries principal repayment, interest and rebates | PR–S | 270,000 | 517,400

**20.485 Veterans Affairs, department of**
(1) (go) Self-amortizing housing facilities; principal repayment and interest | PR | 1,030,900 | 2,211,300

**20.505 Administration, department of**
(5) (g) Principal repayment, interest and rebates; parking | PR | 1,762,100 | 1,763,600
(5) (kc) Principal repayment, interest and rebates | PR–S | 16,769,500 | 16,281,700

**20.867 Building commission**
(3) (g) Principal repayment, interest and rebates; program revenues | PR | -0– | -0–
(3) (h) Principal repayment, interest and rebates | PR | -0– | -0–
(3) (i) Principal repayment, interest and rebates; capital equipment | PR | 145,300 | 191,300

**TOTAL Program Revenue Debt Service** | $ 63,423,300 | $ 79,341,400

**20.320 Environmental improvement program**
(1) (t) Principal repayment and interest – clean water fund program bonds | SEG | $ 6,000,000 | $ 6,000,000
(1) (u) Principal repayment and interest – clean water fund program revenue obligation repayment | SEG | -0– | -0–
### Statute, Agency and Purpose

<table>
<thead>
<tr>
<th>Description</th>
<th>Source</th>
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<th>2004-05</th>
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<td><strong>20.370 Natural resources, department of</strong></td>
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<td></td>
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<tr>
<td>(7) (aq) Resource acquisition and development – principal repayment and interest</td>
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<td>233,000</td>
<td>233,400</td>
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<td>(7) (ar) Dam repair and removal – principal repayment and interest</td>
<td>SEG</td>
<td>426,400</td>
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<tr>
<td>(7) (at) Recreation development – principal repayment and interest</td>
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<td>−0−</td>
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<tr>
<td>(7) (au) State forest acquisition and development – principal repayment and interest</td>
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<td>8,000,000</td>
<td>8,000,000</td>
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<td>(7) (bq) Principal repayment and interest – remedial action</td>
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<td>(7) (eq) Administrative facilities – principal repayment and interest</td>
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<td>1,747,700</td>
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<tr>
<td>(7) (er) Administrative facilities – principal repayment and interest; environmental fund</td>
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<td>253,400</td>
<td>487,700</td>
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<td>(6) (aq) Principal repayment and interest, transportation facilities, state funds</td>
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<td>4,421,500</td>
<td>4,841,800</td>
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<td>(6) (ar) Principal repayment and interest, buildings, state funds</td>
<td>SEG</td>
<td>112,100</td>
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<td><strong>20.485 Veterans affairs, department of</strong></td>
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<td>(3) (t) Debt service</td>
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<td>(3) (v) Revenue obligation prepayment</td>
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</table>
SECTION 285. 20.005 (3) of the statutes is repealed and recreated to read:

20.005 (3) APPROPRIATIONS. The following schedule sets forth all annual, biennial, and sum certain continuing appropriations and anticipated expenditures from other appropriations for the programs and other purposes indicated. All appropriations are made from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both fiscal years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

Figure: 20.005 (3)

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<td>20.115 Agriculture, trade and rural resources</td>
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<td>(1) Food safety and consumer protection</td>
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<td>-----------------------------</td>
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<tr>
<td>(g) Related services</td>
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<td>(v) Agricultural producer security; bonds</td>
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<td>S</td>
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**SENATE BILL 44**

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(1) Program Totals

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<td>(1,900,000)</td>
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(2) Animal Health Services

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<td>Animal Disease Indemnities</td>
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<td>Related Services</td>
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<td>Sale of Supplies</td>
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<tr>
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<td>Dog licenses, rabies control and related services</td>
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(2) Program Totals

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<td>2,515,900</td>
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<td>833,800</td>
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<tr>
<td>Federal</td>
<td>(168,700)</td>
<td>(168,700)</td>
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### Section 286

**SENATE BILL 44**

<table>
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<tr>
<th>Statute, Agency and Purpose</th>
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<th>Type</th>
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<tr>
<td>TOTAL--ALL SOURCES</td>
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1. (3) Marketing services

2. (a) General program operations GPR A 1,647,300 1,647,300

3. (g) Related services PR A −0− −0−

4. (i) Marketing orders and agreements PR C 77,700 77,700

5. (j) Stray voltage program PR A 319,200 319,200

6. (ja) Marketing services and materials PR C 302,000 302,000

7. (jm) Stray voltage program; rural electric cooperatives PR A 21,200 21,200

8. (L) Something special from Wisconsin promotion PR A 30,500 30,500

9. (m) Federal funds PR-F C 466,500 466,500

(3) Program Totals

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<th>2004-05</th>
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<tr>
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<td>1,217,100</td>
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<tr>
<td>Other</td>
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<td>(750,600)</td>
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<tr>
<td>TOTAL--ALL SOURCES</td>
<td>2,864,400</td>
<td>2,864,400</td>
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</tbody>
</table>

12. (4) Agricultural assistance

13. (a) Aid to Wisconsin livestock breeders association GPR A −0− −0−

15. (b) Aids to county and district fairs GPR A −0− −0−

16. (c) Agricultural investment aids GPR B 380,000 380,000

17. (d) Farmers tuition assistance grants GPR B −0− −0−

18. (e) Aids to World Dairy Expo, Inc. GPR A −0− −0−
### SENATE BILL 44

<table>
<thead>
<tr>
<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
<th>TYPE</th>
<th>2003-04</th>
<th>2004-05</th>
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<tr>
<td>1 (f) Exposition center grants</td>
<td>GPR</td>
<td>A</td>
<td>240,000</td>
<td>240,000</td>
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<tr>
<td>2 (q) Grants for agriculture in the</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>classroom program</td>
<td>SEG</td>
<td>A</td>
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#### (4) PROGRAM TOTALS

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<td>620,000</td>
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<tr>
<td>SEGREGATED FUNDS</td>
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<tr>
<td>OTHER</td>
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<td>(100,000)</td>
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<tr>
<td>TOTAL—ALL SOURCES</td>
<td>720,000</td>
<td>720,000</td>
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#### (7) AGRICULTURAL RESOURCE MANAGEMENT

| 5 (a) General program operations | GPR | A | 1,403,000 | 1,403,000 |
| 6 (b) Principal repayment and interest, | | | | |
| conservation reserve enhancement | GPR | S | 1,560,300 | 4,140,000 |
| 8 (c) Soil and water resource | | | | |
| management program | GPR | C | 5,581,900 | 5,581,900 |
| 10 (d) Drainage board grants | GPR | A | 200,000 | 200,000 |
| 11 (e) Agricultural chemical cleanup | | | | |
| program; general fund | GPR | B | −0− | −0− |
| 13 (f) Principal repayment and interest, | | | | |
| soil and water | GPR | S | 502,400 | 696,100 |
| 15 (g) Agricultural impact statements | PR | C | 191,600 | 191,600 |
| 16 (ga) Related services | PR | C | 135,500 | 135,500 |
| 17 (gm) Seed testing and labeling | PR | C | 72,100 | 72,100 |
| 18 (h) Fertilizer research assessments | PR | C | 160,500 | 160,500 |
| 19 (ha) Liming material research funds | PR | C | 25,000 | 25,000 |
| 20 (ja) Plant protection | PR | C | 169,100 | 169,100 |
## Statute, Agency and Purpose

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<td>2</td>
<td>(m) Federal funds</td>
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<td>911,600</td>
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<tr>
<td>3</td>
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<td>4</td>
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<td>4,701,300</td>
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<td>5</td>
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<td>7</td>
<td>(va) Chemical and container disposal</td>
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<td>8</td>
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### (7) Program Totals

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<td>(537,700)</td>
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### (8) Central Administrative Services

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<td>15</td>
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<td>(gm) Enforcement cost recovery</td>
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## STATUTE, AGENCY AND PURPOSE

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### PROGRAM TOTALS

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### DEPARTMENT TOTALS

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### Commerce, department of

12 **20.143 Economic and community development**

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## Senate Bill 44

### Section 286

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### SENATE BILL 44

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(1) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 11,696,800 | 11,700,000 |
| PROGRAM REVENUE | 47,546,000 | 47,546,000 |
| FEDERAL | (35,962,500) | (35,962,500) |
| OTHER | (7,200,500) | (7,200,500) |
### Senate Bill 44

#### Statute, Agency and Purpose

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1. (2) **Housing Assistance**

2. (a) General program operations
   - GPR A
   - 530,300
   - 530,300

3. (b) Housing grants and loans; general purpose revenue
   - GPR B
   - 3,300,300
   - 3,300,300

5. (c) Payments to designated agents
   - GPR A
   - (0)
   - (0)

6. (fm) Shelter for homeless and transitional housing grants
   - GPR A
   - 1,506,000
   - 1,506,000

8. (h) Funding for the homeless
   - PR C
   - (0)
   - (0)

9. (k) Sale of materials or services
   - PR–S C
   - (0)
   - (0)

10. (kg) Housing program services
    - PR–S C
    - 6,822,600
    - 6,822,600

11. (m) Federal aid; state operations
    - PR–F C
    - 602,000
    - 602,000

12. (n) Federal aid; local assistance
    - PR–F C
    - (0)
    - (0)

13. (o) Federal aid; individuals and organizations
    - PR–F C
    - 35,000,000
    - 35,000,000

14. **(2) Program Totals**

    | | 2003-04 | 2004-05 |
    |---------|---------|---------|
    | GENERAL PURPOSE REVENUES | 5,336,600 | 5,336,600 |
    | PROGRAM REVENUE | 42,424,600 | 42,424,600 |
    | FEDERAL | (35,602,000) | (35,602,000) |
    | OTHER | (0) | (0) |
    | SERVICE | (6,822,600) | (6,822,600) |
    | TOTAL–ALL SOURCES | 47,761,200 | 47,761,200 |

15. (3) **Regulation of Industry, Safety and Buildings**

16. (a) General program operations
    - GPR A
    - (0)
    - (0)
## Senate Bill 44

### Statute, Agency and Purpose

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## Senate Bill 44

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### Executive and Administrative Services

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**SENATE BILL 44**

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<td>2 (o) Federal aid, individuals and organizations</td>
<td>PR-F</td>
<td>C</td>
<td>-0-</td>
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<tr>
<td>3 (pz) Indirect cost reimbursements</td>
<td>PR-F</td>
<td>C</td>
<td>343,200</td>
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(4) PROGRAM TOTALS

<table>
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<tr>
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<td></td>
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<tr>
<td>OTHER</td>
<td></td>
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<tr>
<td>SERVICE</td>
<td></td>
<td>(3,944,900)</td>
<td>(3,944,900)</td>
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20.143 DEPARTMENT TOTALS

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<td></td>
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<td>(73,379,900)</td>
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<td>(31,850,700)</td>
<td>(31,850,700)</td>
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<td>(15,256,800)</td>
<td>(15,256,800)</td>
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<td>76,029,800</td>
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<td>217,961,900</td>
<td>217,882,400</td>
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5 20.144 Financial institutions, department of

6 (1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REG. AND OTHER FUNCTIONS

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<td>Losses on public deposits</td>
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<td>S</td>
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<td>General program operations</td>
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<td>13,484,700</td>
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<tr>
<td>Gifts, grants, settlements and publications</td>
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<td>Investor education fund</td>
<td>PR-A</td>
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<td>State deposit fund</td>
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(1) PROGRAM TOTALS

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<tr>
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<td>13,719,500</td>
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### Senate Bill 44

#### Statute, Agency and Purpose

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<tr>
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<td>(−0−)</td>
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<td>TOTAL–ALL SOURCES</td>
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#### 20144 Department Totals

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<td>PROGRAM REVENUE</td>
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<td>(−0−)</td>
<td>(−0−)</td>
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<tr>
<td>OTHER</td>
<td>(15,369,400)</td>
<td>(15,450,000)</td>
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<tr>
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<td>15,369,400</td>
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#### 20145 Insurance, Office of the Commissioner of

#### (1) Supervision of the Insurance Industry

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<tr>
<td>(g) General program operations</td>
<td>PR A</td>
<td>12,774,000</td>
<td>12,801,400</td>
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<tr>
<td>(gm) Gifts and grants</td>
<td>PR C</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(h) Holding company restructuring expenses</td>
<td>PR C</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(k) Administrative and support services</td>
<td>PR−S A</td>
<td>4,333,000</td>
<td>4,288,800</td>
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<td>(m) Federal funds</td>
<td>PR−F C</td>
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#### (1) Program Totals

<table>
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<tr>
<td>FEDERAL</td>
<td>(−0−)</td>
<td>(−0−)</td>
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<tr>
<td>STATUTE, AGENCY AND PURPOSE</td>
<td>SOURCE</td>
<td>TYPE</td>
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<tr>
<td>-----------------------------</td>
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<td>------</td>
</tr>
<tr>
<td></td>
<td>OTHER</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SERVICE</td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL-ALL SOURCES</td>
<td></td>
</tr>
</tbody>
</table>

1. (2) PATIENTS COMPENSATION FUND

2. (a) Claims payable by the patients compensation fund

3. (q) Interest earned on future medical expenses

4. (u) Administration

5. (um) Peer review council

6. (v) Specified responsibilities, inv. board payments and future medical expenses

7. (2) PROGRAM TOTALS

    GENERAL PURPOSE REVENUES 
    SEGREGATED FUNDS 255,966,300 55,981,100
    OTHER (255,966,300) (55,981,100)
    TOTAL-ALL SOURCES 255,966,300 55,981,100

8. (3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND

9. (u) Administration

10. (v) Specified payments, fire dues and reinsurance

11. (3) PROGRAM TOTALS

    SEGREGATED FUNDS 24,509,500 27,634,600
    OTHER (24,509,500) (27,634,600)
    TOTAL-ALL SOURCES 24,509,500 27,634,600

12. (4) STATE LIFE INSURANCE FUND

13. (u) Administration
## Statute, Agency and Purpose

<table>
<thead>
<tr>
<th></th>
<th>Source</th>
<th>Type</th>
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<th>2004-05</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>(v) Specified payments and losses</td>
<td>SEG</td>
<td>C</td>
<td>2,980,000</td>
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### (4) Program Totals

<table>
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<tr>
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<tbody>
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<td>3,553,700</td>
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<td>Other</td>
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<td>(3,553,700)</td>
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<tr>
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### 20.145 Department Totals

<table>
<thead>
<tr>
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<th>2003-04</th>
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<tbody>
<tr>
<td>General Purpose Revenues</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>Program Revenue</td>
<td>17,107,000</td>
<td>17,090,200</td>
</tr>
<tr>
<td>Federal</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>Other</td>
<td>(12,774,000)</td>
<td>(12,801,400)</td>
</tr>
<tr>
<td>Service</td>
<td>(4,333,000)</td>
<td>(4,288,800)</td>
</tr>
<tr>
<td>Segregated Funds</td>
<td>284,029,500</td>
<td>87,169,400</td>
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<tr>
<td>Other</td>
<td>(284,029,500)</td>
<td>(87,169,400)</td>
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<td>301,136,500</td>
<td>104,259,600</td>
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</table>

## 20.155 Public Service Commission

### (1) Regulation of Public Utilities

<p>| | | | |</p>
<table>
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<th></th>
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<tbody>
<tr>
<td>4</td>
<td>(g) Utility regulation</td>
<td>PR</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>14,011,800</td>
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<tr>
<td>5</td>
<td>(h) Holding company and nonutility affiliate regulation</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>7</td>
<td>(j) Intervenor financing</td>
<td>PR</td>
<td>A</td>
</tr>
<tr>
<td>8</td>
<td>(L) Stray voltage program</td>
<td>PR</td>
<td>A</td>
</tr>
<tr>
<td>9</td>
<td>(Lb) Gifts for stray voltage program</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>10</td>
<td>(Lm) Consumer education and awareness</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>11</td>
<td>(m) Federal funds</td>
<td>PR-F</td>
<td>C</td>
</tr>
<tr>
<td>12</td>
<td>(n) Indirect costs reimbursement</td>
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<td>C</td>
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<tr>
<td>13</td>
<td>(q) Universal telecommunications service</td>
<td>SEG</td>
<td>A</td>
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<tr>
<td>15</td>
<td>(r) Nuclear waste escrow fund</td>
<td>SEG</td>
<td>S</td>
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</table>
STATUTE, AGENCY AND PURPOSE  SOURCE  TYPE  2003-04  2004-05

20.155 DEPARTMENT TOTALS

<table>
<thead>
<tr>
<th>PROGRAM REVENUE</th>
<th>15,800,100</th>
<th>15,330,600</th>
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<tr>
<td>FEDERAL</td>
<td>(168,600)</td>
<td>(168,600)</td>
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<tr>
<td>OTHER</td>
<td>(15,631,500)</td>
<td>(15,162,000)</td>
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<tr>
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<td>6,000,000</td>
</tr>
<tr>
<td>OTHER</td>
<td>(5,000,000)</td>
<td>(6,000,000)</td>
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<tr>
<td>TOTAL–ALL SOURCES</td>
<td>20,800,100</td>
<td>21,330,600</td>
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</table>

1  20.165 Regulation and licensing, department of

2 (1) PROFESSIONAL REGULATION

3 (g) General program operations  PR  A  10,223,600  10,223,600

4 (gm) Applicant investigation reimbursement  PR  C  133,800  133,800

6 (h) Technical assistance; nonstate agencies and organizations  PR  C  −0−  −0−

(i) Examinations; general program operations  PR  C  1,623,500  1,623,500

10 (k) Technical assistance; state agencies  PR–S  C  −0−  −0−

11 (m) Federal funds  PR–F  C  −0−  −0−

20.165 DEPARTMENT TOTALS

<table>
<thead>
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<th>PROGRAM REVENUE</th>
<th>11,980,900</th>
<th>11,980,900</th>
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<tr>
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<td>(−0−)</td>
<td>(−0−)</td>
</tr>
<tr>
<td>OTHER</td>
<td>(11,980,900)</td>
<td>(11,980,900)</td>
</tr>
<tr>
<td>SERVICE</td>
<td>(−0−)</td>
<td>(−0−)</td>
</tr>
<tr>
<td>TOTAL–ALL SOURCES</td>
<td>11,980,900</td>
<td>11,980,900</td>
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</tbody>
</table>

12 20.190 State fair park board

13 (1) STATE FAIR PARK

14 (c) Housing facilities principal repayment, interest and rebates  GPR  S  927,200  926,000

15 (d) Principal repayment and interest  GPR  S  571,800  1,013,500
### Statute, Agency and Purpose

<table>
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<tr>
<th>Source</th>
<th>Type</th>
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<td>(h)</td>
<td>PR</td>
<td>13,132,500</td>
<td>13,046,300</td>
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<tr>
<td>(i)</td>
<td>PR</td>
<td>224,000</td>
<td>224,000</td>
</tr>
<tr>
<td>(j)</td>
<td>PR</td>
<td>3,912,500</td>
<td>6,046,800</td>
</tr>
<tr>
<td>(jm)</td>
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<tr>
<td>(m)</td>
<td>PR-F</td>
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### 20.190 Department Totals

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<td>(−0−)</td>
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<tr>
<td>Other</td>
<td>(17,269,000)</td>
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<tr>
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<td>18,768,000</td>
<td>21,256,600</td>
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### Commerce

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<td>50,893,200</td>
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<td>Other</td>
<td>(119,951,700)</td>
<td>(121,638,300)</td>
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<td>Service</td>
<td>(25,513,800)</td>
<td>(25,469,600)</td>
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<td>385,175,500</td>
<td>188,968,900</td>
</tr>
<tr>
<td>Federal</td>
<td>(−0−)</td>
<td>(−0−)</td>
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<tr>
<td>Other</td>
<td>(385,175,500)</td>
<td>(188,968,900)</td>
</tr>
<tr>
<td>Service</td>
<td>(−0−)</td>
<td>(−0−)</td>
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<tr>
<td>Local</td>
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<td>(−0−)</td>
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<tr>
<td>Total—all Sources</td>
<td>657,665,100</td>
<td>466,316,200</td>
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</table>

### Education

#### 20.215 Arts board

| (a)    | General program operations | GPR | A | 271,100 | 271,100 |
| (b)    | State aid for the arts     | GPR | A | 1,196,700 | 1,196,700 |
| (c)    | Portraits of governors     | GPR | A | −0−     | −0−     |
### Senate Bill 44

#### Statute, Agency and Purpose

<table>
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<th>Source</th>
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<td>778,800</td>
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<td>2</td>
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<td>GPR</td>
<td>A</td>
<td>-0-</td>
<td>-0-</td>
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<td>3</td>
<td>(f) Wisconsin regranting program</td>
<td>GPR</td>
<td>A</td>
<td>124,300</td>
<td>124,300</td>
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<tr>
<td>4</td>
<td>(g) Gifts and grants; state operations</td>
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<td>C</td>
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<td>20,000</td>
</tr>
<tr>
<td>5</td>
<td>(h) Gifts and grants; aids to individuals and organizations</td>
<td>PR</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>6</td>
<td>(j) Support of arts programs</td>
<td>PR</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<td>8</td>
<td>(k) Funds received from other state agencies</td>
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<td>427,200</td>
<td>427,200</td>
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<tr>
<td>10</td>
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<td>PR−S</td>
<td>A</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>11</td>
<td>(km) State aid for the arts; Indian gaming receipts</td>
<td>PR−S</td>
<td>A</td>
<td>25,200</td>
<td>25,200</td>
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<tr>
<td>13</td>
<td>(m) Federal grants; state operations</td>
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<td>14</td>
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#### 20.215 Department Totals

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<td>Program revenue</td>
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<td>Other</td>
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<tr>
<td>Service</td>
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<td>452,400</td>
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#### 20.220 Wisconsin Artistic Endowment Foundation

<table>
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<th>#</th>
<th>Description</th>
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<th>Type</th>
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<tr>
<td>18</td>
<td>(a) Education and marketing</td>
<td>GPR</td>
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<td>19</td>
<td>(q) General program operations</td>
<td>SEG</td>
<td>A</td>
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## Section 286

### Senate Bill 44

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<td>(r) Support of the arts</td>
<td>SEG</td>
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<td><strong>20.220 Department Totals</strong></td>
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<tr>
<td>General Purpose Revenues</td>
<td></td>
<td></td>
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<tr>
<td>Segregated Funds</td>
<td></td>
<td></td>
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<tr>
<td>Other</td>
<td></td>
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<td><strong>Total—All Sources</strong></td>
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### 20.225 Educational Communications Board

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<tr>
<td>(a) General Program Operations</td>
<td>GPR</td>
<td>A</td>
<td>3,171,900</td>
<td>3,177,900</td>
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<tr>
<td>(b) Energy Costs</td>
<td>GPR</td>
<td>A</td>
<td>420,900</td>
<td>423,000</td>
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<td>(c) Principal Repayment and Interest</td>
<td>GPR</td>
<td>S</td>
<td>1,453,900</td>
<td>2,011,300</td>
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<td>(d) Milwaukee Area Technical College</td>
<td>GPR</td>
<td>A</td>
<td>313,500</td>
<td>313,500</td>
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<td>(eg) Transmitter Construction</td>
<td>GPR</td>
<td>C</td>
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<td>-0-</td>
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<tr>
<td>(er) Transmitter Operation</td>
<td>GPR</td>
<td>A</td>
<td>19,000</td>
<td>19,000</td>
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<tr>
<td>(f) Programming</td>
<td>GPR</td>
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<td>1,061,900</td>
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<td>(g) Gifts, Grants, Contracts, Leases, Instructional Material, and Copyrights</td>
<td>PR</td>
<td>C</td>
<td>8,830,300</td>
<td>8,832,200</td>
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<td>(i) Program Revenue Facilities; Principal Repayment, Interest, and Rebates</td>
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<td>(k) Funds Received from Other State Agencies</td>
<td>PR-S</td>
<td>C</td>
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<td>(kb) Emergency Weather Warning System Operation</td>
<td>PR-S</td>
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### Statute, Agency and Purpose

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<td>1</td>
<td>(m) Federal grants</td>
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#### 20.225 Department Totals

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<td>(1,171,800)</td>
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<tr>
<td>Other</td>
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<td>(8,832,200)</td>
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<td>(71,800)</td>
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### 20.235 Higher educational aids board

#### (1) Student Support Activities

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<td>(b) Tuition grants</td>
<td>GPR</td>
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<td>5</td>
<td>(cg) Nursing student loans</td>
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<td>6</td>
<td>(cm) Nursing student loan program</td>
<td>GPR</td>
<td>A</td>
<td>450,000</td>
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<td>7</td>
<td>(cr) Minority teacher loans</td>
<td>GPR</td>
<td>A</td>
<td>262,100</td>
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<td>8</td>
<td>(cu) Teacher education loan program</td>
<td>GPR</td>
<td>A</td>
<td>275,000</td>
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<tr>
<td>9</td>
<td>(cx) Loan pgm for teachers &amp; orient &amp; mobility instructors of vis imp pupils</td>
<td>GPR</td>
<td>A</td>
<td>100,000</td>
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<tr>
<td>10</td>
<td>(d) Dental education contract</td>
<td>GPR</td>
<td>A</td>
<td>758,500</td>
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<tr>
<td>11</td>
<td>(e) Minnesota-Wisconsin student reciprocity agreement</td>
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<tr>
<td>12</td>
<td>(fc) Independent student grants program</td>
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<td>13</td>
<td>(fd) Talent incentive grants</td>
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<td>Source</td>
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<td>----------------------------</td>
<td>--------</td>
<td>------</td>
<td>---------</td>
<td>---------</td>
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<tr>
<td>(fe) Wisconsin higher education grants; University of Wisconsin system students</td>
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<td>(fj) Handicapped student grants</td>
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<td>(g) Student loans</td>
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<td>A</td>
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<td>−0−</td>
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<tr>
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<td>−0−</td>
<td>−0−</td>
</tr>
<tr>
<td>(gm) Indian student assistance; contributions</td>
<td>PR</td>
<td>C</td>
<td>−0−</td>
<td>−0−</td>
</tr>
<tr>
<td>(i) Gifts and grants</td>
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<td>C</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(k) Indian student assistance</td>
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<tr>
<td>(ke) Wisconsin higher educ. grants for UW System students; auxiliary enterprises</td>
<td>PR-S</td>
<td>A</td>
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<td>(km) Wisconsin higher education grants; tribal college students</td>
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<td>(no) Federal aid; aids to individuals and organizations</td>
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<td>C</td>
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</table>

(1) Program Totals
GENERAL PURPOSE REVENUES | 68,086,700 | −0− |
PROGRAM REVENUE | 9,041,700 | −0− |
<table>
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<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tr>
<td>FEDERAL</td>
<td></td>
<td></td>
<td>(1,396,400)</td>
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<tr>
<td>OTHER</td>
<td></td>
<td></td>
<td>(-0-)</td>
<td>(-0-)</td>
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<tr>
<td>SERVICE</td>
<td></td>
<td></td>
<td>(7,645,300)</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
<td></td>
<td></td>
<td>77,128,400</td>
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</table>

1. (2) Administration

2. (aa) General program operations GPR A 704,200 -0-

3. (bb) Student loan interest, loans sold or conveyed GPR S -0- -0-

4. (bc) Write-off of uncollectible student loans GPR A -0- -0-

5. (bd) Purchase of defective student loans GPR S -0- -0-

6. (ga) Student interest payments PR C 1,000 -0-

7. (gb) Student interest payments, loans sold or conveyed PR C -0- -0-

8. (ia) Student loans; collection and administration PR C -0- -0-

9. (ja) Write-off of defaulted student loans PR A -0- -0-

10. (n) Federal aid; state operations PR-F C -0- -0-

11. (qa) Student loan revenue obligation repayment SEG C -0- -0-

12. (qb) Wisconsin health education loan revenue obligation repayment SEG C 76,800 -0-

(2) Program Totals

- General Purpose Revenues: 704,200 -0-
- Program Revenue: 1,000 -0-
- Federal: (-0-) (-0-)
- Other: (1,000) (-0-)
- Segregated Funds: 76,800 -0-
### Statute, Agency and Purpose

<table>
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<tr>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>OTHER</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
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#### 20.235 Department Totals

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<tr>
<td>FEDERAL</td>
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<td>(-0-)</td>
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<tr>
<td>OTHER</td>
<td></td>
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<td>(-0-)</td>
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<tr>
<td>SERVICE</td>
<td></td>
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<td>(-0-)</td>
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<tr>
<td>OTHER</td>
<td></td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
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1. **20.245 Historical society**

2. **(1) History services**

3. **(a) General program operations**

4. **(c) Energy costs**

5. **(e) Principal repayment, interest, and rebates**

6. **(g) Admissions, sales and other receipts**

7. **(h) Gifts and grants**

8. **(hm) Power’s Bluff county park**

9. **(hr) Native tribal history**

10. **(j) Self-amortizing facilities; principal repayment, interest and rebates**

11. **(km) Northern great lakes center**

12. **(ks) General program operations – service funds**

13. | PR | S | 157,800 | 248,900 |
14. | PR-S | A | 189,800 | 189,800 |
15. | PR-S | C | 1,709,400 | 1,709,400 |
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<th>Source</th>
<th>Type</th>
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<th>2004-05</th>
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<td>1,129,200</td>
<td>1,129,200</td>
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<tr>
<td>(n) Federal aids</td>
<td>PR-F</td>
<td>C</td>
<td>-0-</td>
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<tr>
<td>(pz) Indirect cost reimbursements</td>
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<td>C</td>
<td>95,000</td>
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<td>(q) Endowment principal</td>
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<td>682,400</td>
<td>682,400</td>
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<tr>
<td>(y) Northern great lakes center; interpretive programming</td>
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**20.245 Department Totals**

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<tr>
<th>Description</th>
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<tr>
<td>Program Revenue</td>
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<td>6,721,600</td>
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<td>Federal</td>
<td>(1,224,200)</td>
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<td>Other</td>
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<td>(3,598,200)</td>
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**20.250 Medical College of Wisconsin**

<table>
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<td>Training of Health Personnel</td>
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<td>(a) General program operations</td>
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<tr>
<td>(b) Family medicine and practice</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td>(c) Principal repay, int &amp; rebates; biomedical research &amp; technology incubator</td>
<td>GPR</td>
<td>S</td>
</tr>
<tr>
<td>(e) Principal repayment and interest</td>
<td>GPR</td>
<td>S</td>
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<tr>
<td>(k) Tobacco-related illnesses</td>
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**20.250 Department Totals**

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<td>Source</td>
<td>Type</td>
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<tr>
<td>STATUTE, AGENCY AND PURPOSE</td>
<td></td>
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<tr>
<td>SERVICE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL—ALL SOURCES</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. **20.255 Public instruction, department of**

2. (1) **Educational Leadership**

3. (a) General program operations  
   Source: GPR  
   Type: A  
   2003-04: 9,903,100  
   2004-05: 9,851,400

4. (b) Gen pgm ops: program for the deaf and center for the blind  
   Source: GPR  
   Type: A  
   2003-04: 9,080,200  
   2004-05: 9,080,200

5. (c) Energy costs: program for the deaf and center for the blind  
   Source: GPR  
   Type: A  
   2003-04: 375,400  
   2004-05: 377,500

6. (d) Principal repayment and interest  
   Source: GPR  
   Type: S  
   2003-04: 1,229,600  
   2004-05: 1,123,700

7. (dw) Pupil assessment  
   Source: GPR  
   Type: A  
   2003-04: 3,137,000  
   2004-05: 3,137,000

8. (g) Student activity therapy  
   Source: PR  
   Type: A  
   2003-04: 4,000  
   2004-05: 4,000

9. (gb) Program for the deaf and center for the blind; nonresident fees  
   Source: PR  
   Type: C  
   2003-04: 50,000  
   2004-05: 50,000

10. (gh) Program for the deaf and center for the blind; hospitalization  
    Source: PR  
    Type: C  
    2003-04: -0-  
    2004-05: -0-

11. (gL) Program for the deaf and center for the blind; leasing of space  
    Source: PR  
    Type: C  
    2003-04: 10,000  
    2004-05: 10,000

12. (gs) Program for the deaf and center for the blind; services  
    Source: PR  
    Type: C  
    2003-04: 50,000  
    2004-05: 50,000

13. (gt) Program for the deaf and center for the blind; pupil transportation  
    Source: PR  
    Type: A  
    2003-04: 796,000  
    2004-05: 828,000

14. (hf) Administrative leadership academy  
    Source: PR  
    Type: A  
    2003-04: -0-  
    2004-05: -0-
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<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tr>
<td>(hg) Personnel certific., teacher supply, info. and analysis and teacher improv.</td>
<td>PR</td>
<td>A</td>
<td>3,320,000</td>
<td>3,420,000</td>
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<td>(hj) General educational development and high school graduation equivalency</td>
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<td>A</td>
<td>50,300</td>
<td>118,600</td>
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<td>(hm) Services for drivers</td>
<td>PR</td>
<td>A</td>
<td>241,300</td>
<td>241,300</td>
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<tr>
<td>(i) Publications</td>
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### Statute, Agency and Purpose

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#### (2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING

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   - **2004-05**: 4,200,945,900

2. Supplemental aid  
   - **Source**: GPR  
   - **Type**: A  
   - **2003-04**: 125,000  
   - **2004-05**: 125,000

3. Aids for special education and school age parents programs  
   - **Source**: GPR  
   - **Type**: A  
   - **2003-04**: 315,681,400  
   - **2004-05**: 315,681,400

4. Aid for children-at-risk programs  
   - **Source**: GPR  
   - **Type**: A  
   - **2003-04**: 3,500,000  
   - **2004-05**: 3,500,000

5. Aid to county children with disabilities education boards  
   - **Source**: GPR  
   - **Type**: A  
   - **2003-04**: 4,214,800  
   - **2004-05**: 4,214,800

6. Bilingual-bicultural education aids  
   - **Source**: GPR  
   - **Type**: A  
   - **2003-04**: 8,291,400  
   - **2004-05**: 8,291,400

7. Alternative education grants  
   - **Source**: GPR  
   - **Type**: A  
   - **2003-04**: 5,000,000  
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8. Tuition payments; full-time open enrollment transfer payments  
   - **Source**: GPR  
   - **Type**: A  
   - **2003-04**: 9,741,000  
   - **2004-05**: 9,741,000

9. Grants for school breakfast programs  
   - **Source**: GPR  
   - **Type**: C  
   - **2003-04**: 1,055,400  
   - **2004-05**: 1,055,400

10. Aids for school lunches and nutritional improvement  
    - **Source**: GPR  
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    - **2004-05**: 4,371,100

11. Wisconsin school day milk program  
    - **Source**: GPR  
    - **Type**: A  
    - **2003-04**: 710,600  
    - **2004-05**: 710,600

12. Aid for pupil transportation  
    - **Source**: GPR  
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13. Aid for debt service  
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(2) Program Totals

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(3) Aids to Libraries, Individuals and Organizations

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## Senate Bill 44

### Statute, Agency and Purpose

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### Program Totals

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20.255 Department Totals

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### Statute, Agency and Purpose

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(3) University System Administration

1. General program operations GPR A 9,543,800 9,740,700
2. Student loan interest, loans sold or conveyed GPR S −0− −0−
3. Write-off of uncollectible student loans GPR A −0− −0−
4. Purchase of defective student loans GPR S −0− −0−
5. Student interest payments PR C −0− 1,000
6. Student interest payments, loans sold or conveyed PR C −0− −0−
7. Student loans; collection and administration PR C −0− −0−
8. Write-off of defaulted student loans PR A −0− −0−
9. General operations receipts PR C 146,000 146,000
10. Federal indirect cost reimbursement PR−F C 1,337,000 1,337,000
11. Federal aid; state operations PR−F C −0− −0−
SENATE BILL 44

SECTION 286

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(3) PROGRAM TOTALS

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(4) MINORITY AND DISADVANTAGED PROGRAMS

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<td>Graduate student financial aid</td>
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(4) PROGRAM TOTALS

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(5) UNIVERSITY OF WISCONSIN-MADISON INTERCOLLEGIATE ATHLETICS
### STATUTE, AGENCY AND PURPOSE

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#### (5) PROGRAM TOTALS

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#### (6) PROGRAM TOTALS

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### Senate Bill 44

#### Statute, Agency and Purpose

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#### Technical College System, Board of

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### Statute, Agency and Purpose

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<td>Fire schools; state operations</td>
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<td>A</td>
<td>392,700</td>
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</table>
### SENATE BILL 44

**STATUTE, AGENCY AND PURPOSE** | **SOURCE** | **TYPE** | **2003-04** | **2004-05**
--- | --- | --- | --- | ---
1 | (gr) | Fire schools; local assistance | PR | A | 600,000 | 600,000
2 | (h) | Gifts and grants | PR | C | 20,600 | 20,600
3 | (hm) | Truck driver training | PR−S | C | 616,000 | 616,000
4 | (i) | Conferences | PR | C | 85,900 | 85,900
5 | (j) | Personnel certification | PR | A | 180,000 | 180,000
6 | (k) | Gifts and grants | PR | C | 30,200 | 30,200
7 | (ka) | Interagency projects; local assistance | PR−S | A | 3,414,700 | 3,414,700
8 | (kb) | Interagency projects; state operations | PR−S | A | 715,800 | 715,800
9 | (L) | Services for district boards | PR | A | 143,300 | 143,300
10 | (m) | Federal aid, state operations | PR−F | C | 3,366,100 | 3,366,100
11 | (n) | Federal aid, local assistance | PR−F | C | 26,674,300 | 26,674,300
12 | (o) | Federal aid, aids to individuals and organizations | PR−F | C | 800,000 | 800,000
13 | (pz) | Indirect cost reimbursements | PR−F | C | 196,000 | 196,000
14 | (q) | Agricultural education consultant | GPR | A | 58,500 | 58,500

---

### 20.292 DEPARTMENT TOTALS

| | 2003-04 | 2004-05 |
--- | --- | ---
GENERAL PURPOSE REVENUES | 138,882,800 | 139,992,800 |
PROGRAM REVENUE | 37,358,600 | 37,358,600 |
FEDERAL | (31,036,400) | (31,036,400) |
OTHER | (1,575,700) | (1,575,700) |
SERVICE | (4,746,500) | (4,746,500) |
TOTAL−ALL SOURCES | 176,241,400 | 177,351,400 |

---

### Education FUNCTIONAL AREA TOTALS

| | 2003-04 | 2004-05 |
--- | --- | ---
GENERAL PURPOSE REVENUES | 6,042,243,300 | 6,025,573,500 |
PROGRAM REVENUE | 3,177,496,100 | 3,303,297,400 |
FEDERAL | (1,311,926,300) | (1,311,686,700) |
### Environmental Resources

#### 20.320 Environmental improvement program

1. **Clean water fund program operations**

2. **Environmental aids — clean water**

3. **Principal repayment and interest — clean water fund**

4. **Clean water fund program repayment of revenue obligations**

5. **Clean water fund program financial assistance**

6. **Land recycling loan program financial assistance**

7. **Principal repayment and interest — clean water fund program bonds**

8. **Principal repay. & interest — clean water fd. prog. rev. obligation repay.**
## Statute, Agency and Purpose

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### Program Totals

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### Safe Drinking Water Loan Program Operations

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### Program Totals

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20.320 Department Totals

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<td>(6,000,000)</td>
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1 20.360 Lower Wisconsin state riverway board

(1) Control of land development and use in the Lower Wisconsin State Riverway

3 (g) Gifts and grants

4 (q) General program operations —

5 conservation fund

20.360 Department Totals

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6 20.370 Natural resources, department of

7 (1) Land

8 (cq) Forestry — reforestation

9 (cr) Forestry — recording fees

10 (cs) Forestry — forest fire emergencies

11 (ct) Timber sales contracts — repair and reimbursement costs

12 (cu) Forestry — forestry education curriculum

13 (cv) Forestry — public education
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<td>11,772,900</td>
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<tr>
<td>Southern forests</td>
<td>SEG</td>
<td>A</td>
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<tr>
<td>Parks and recreation</td>
<td>SEG</td>
<td>A</td>
<td>9,396,500</td>
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<tr>
<td>Facilities and lands</td>
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<td>A</td>
<td>5,694,600</td>
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<td><strong>NET APPROPRIATION</strong></td>
<td></td>
<td></td>
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<td>(my) General program operations — federal funds</td>
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<tr>
<td>Wildlife management</td>
<td>SEG-F</td>
<td>C</td>
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<td>Forestry</td>
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<td>Parks and recreation</td>
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<tr>
<td>Endangered resources</td>
<td>SEG-F</td>
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## Senate Bill 44

### Statute, Agency and Purpose

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<tr>
<td>Facilities and lands</td>
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<td><strong>NET APPROPRIATION</strong></td>
<td></td>
<td></td>
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<td>(mz) Forest fire emergencies — federal funds</td>
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(1) **Program Totals**

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<th>Description</th>
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<tr>
<td>General Purpose Revenues</td>
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<td>Program Revenue</td>
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<tr>
<td>Other</td>
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<tr>
<td>Service</td>
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<td>Segregated Funds</td>
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<tr>
<td>Federal</td>
<td>(7,443,500)</td>
<td>(7,432,600)</td>
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<tr>
<td>Other</td>
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<td>(77,004,300)</td>
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<tr>
<td>Total—all Sources</td>
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(2) **Air and Waste**

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<td>Air management — stationary sources</td>
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<td>Air management — asbestos management</td>
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<td>Air management — vapor recovery administration</td>
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<td>Air management — mobile sources SEG A</td>
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<td>Air management — motor veh. emission inspection &amp; maint. prog., state funds</td>
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<td>(ci) Air management — permit review and enforcement</td>
<td>PR</td>
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<td>(cL) Air management – air waste management–incinerator operator certification</td>
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<tr>
<td>(dg) Solid waste management — solid and hazardous waste disposal administration</td>
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<td>(dh) Solid waste management—remediated property</td>
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<tr>
<td>(di) Solid waste management — operator certification</td>
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<td>(dq) Solid waste management — waste management fund</td>
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<td>C</td>
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<tr>
<td>(dt) Solid waste management — closure and long-term care</td>
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<td>(du) Solid waste management – site specific remediation</td>
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<td>C</td>
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<tr>
<td>(dv) Solid waste management — environmental repair; spills; abandoned containers</td>
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<td>(dw) Solid waste management — environmental repair; petroleum spills; admin.</td>
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### Statute, Agency and Purpose

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<td>1</td>
<td>(dy) Solid waste mgmt. — corrective action; proofs of financial responsibility</td>
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<td>3</td>
<td>(eg) Solid waste facility siting board fee</td>
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<td>4</td>
<td>(eh) Solid waste management — source reduction review</td>
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<td>5</td>
<td>(eq) Solid waste management — dry cleaner environmental response</td>
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<td>6</td>
<td>(fq) Indemnification agreements</td>
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<td>S</td>
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<td>7</td>
<td>(gh) Mining — mining regulation and administration</td>
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<td>A</td>
<td>294,700</td>
<td>284,500</td>
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<td>8</td>
<td>(gr) Solid waste management — mining programs</td>
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<td>C</td>
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<td>(ma) General program operations — state funds</td>
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<td>A</td>
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<td>2,544,000</td>
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<tr>
<td>11</td>
<td>(mi) General program operations — private and public sources</td>
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<td>C</td>
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<td>12</td>
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**SENATE BILL 44**

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<tr>
<td>environmental fund</td>
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<td>A</td>
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<td>3,868,800</td>
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<tr>
<td>2 (mu) Petroleum inspection fd. suppl. to</td>
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<td></td>
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<td>env. fd.; env. repair and well comp.</td>
<td>SEG</td>
<td>A</td>
<td>1,049,400</td>
<td>1,049,400</td>
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<td>3 (my) General program operations —</td>
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<td></td>
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<tr>
<td>environmental fund; federal funds</td>
<td>SEG−F</td>
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**Program Totals**

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<tr>
<th>General Purpose Revenues</th>
<th>2003-04</th>
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<tr>
<td>General program operations –</td>
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<tr>
<td>environmental fund</td>
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<td>3,868,800</td>
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<tr>
<td>Petroleum inspection fd. suppl. to env. fd.; env. repair and well comp.</td>
<td>1,049,400</td>
<td>1,049,400</td>
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**Enforcement and Science**

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<td>Law enforcement – snowmobile enforcement and safety training; service funds</td>
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<tr>
<td>Law enforcement — snowmobile enforcement and safety training</td>
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<tr>
<td>Law enforcement — boat enforcement and safety training</td>
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<td>2,247,400</td>
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<tr>
<td>Law enforcement — all-terrain vehicle enforcement</td>
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<td>Education and safety programs</td>
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<td>174,700</td>
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<tr>
<td>Hunter education and bow hunter education</td>
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## Senate Bill 44

### Statute, Agency and Purpose

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<tr>
<td>1</td>
<td>(av) Law enforcement – car kill deer; transportation fund</td>
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<td>A</td>
<td>402,100</td>
<td>414,600</td>
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<td>2</td>
<td>(aw) Law enforcement — car kill deer</td>
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<td>A</td>
<td>402,100</td>
<td>414,600</td>
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<tr>
<td>3</td>
<td>(bg) Enforcement — stationary sources</td>
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<td>75,300</td>
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<tr>
<td>4</td>
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<td>-0-</td>
<td>-0-</td>
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<tr>
<td>5</td>
<td>(dh) Environmental impact — power projects</td>
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<td>6</td>
<td>(di) Environmental consulting costs — federal power projects</td>
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<td>-0-</td>
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<td>7</td>
<td>(fj) Environmental quality – laboratory certification</td>
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<td>8</td>
<td>(is) Lake research; voluntary contributions</td>
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<td>11</td>
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### Senate Bill 44

<table>
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<td>1   (mq) General program operations — environmental fund</td>
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<td>1,191,200</td>
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<td>2   (mr) Recycling; enforcement and research</td>
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<td>3   (ms) General program operations — pollution prevention</td>
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<td>4   (mt) General program operations, nonpoint source — environmental fund</td>
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<td>5   (mu) General program operations — state funds</td>
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<td>6   (mv) Aquatic and terrestrial resources inventory</td>
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<td>7   (my) General program operations — federal funds</td>
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#### (3) Program Totals

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<td>General Purpose Revenues</td>
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<td>Program Revenue</td>
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<td>Federal</td>
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<td>(456,600)</td>
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<td>Other</td>
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<td>(1,088,000)</td>
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<tr>
<td>Service</td>
<td>(1,169,800)</td>
<td>(1,169,800)</td>
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<td>Segregated Funds</td>
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<tr>
<td>Other</td>
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<tr>
<td>Total—All Sources</td>
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#### (4) Water

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<td>17 (ag) Water resources – pollution credits</td>
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<td>(as) Water resources — trading water pollution credits</td>
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<td>(at) Watershed — nonpoint source contracts</td>
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<td>(au) Cooperative remedial action; contributions</td>
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<td>(av) Cooperative remedial action; interest on contributions</td>
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<td>(bi) Water regulation and zoning – fees</td>
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<td>(bL) Wastewater management – fees</td>
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## STATUTE, AGENCY AND PURPOSE

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## (4) PROGRAM TOTALS

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## (5) CONSERVATION AIDS

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### (5) Program Totals

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1. **Environmentaids**

2. **(aa) Environmental aids – non-point source**

3. **(ar) Environmental aids – lake protection**

4. **(au) Environmental aids – river protection; environmental fund**

5. **(av) Environmental aids – river protection; conservation fund**

6. **(aw) Environmental aids – river protection; nonprofit organization contracts**

7. **(bj) Environmental aids – waste reduction and recycling grants and gifts**

8. **(bk) Environmental aids – wastewater and drinking water grant**

9. **(br) Environmental aids – waste reduction and recycling demonstration grants**

10. **(bs) Environmental aids – household hazardous waste**
### Senate Bill 44

**Statute, Agency and Purpose**

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**Program Totals**

- **General Purpose Revenues**: $1,108,600, $1,108,600
- **Program Revenue**: $650,000, $650,000
  - **Federal**: $(150,000), $(150,000)
  - **Other**: $0, $0
  - **Service**: $500,000, $500,000
- **Segregated Funds**: $42,141,800, $42,141,800
  - **Other**: $42,141,800, $42,141,800
- **Total—All Sources**: $43,900,400, $43,900,400

**Debt Service and Development**
## SECTION 286

### SENATE BILL 44

<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
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### Senate Bill 44

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<td>3 (8) ADMINISTRATION AND TECHNOLOGY</td>
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(8) PROGRAM TOTALS

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<td>(8,574,000)</td>
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(9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS

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<td>(hk) Approval fees to Lac du Flambeau</td>
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<td>A</td>
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<td>(hs) Approval fees from Lac du Flambeau band</td>
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<td>(ht) Approval fees to Lac du Flambeau band</td>
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<td>(hu) Handling, issuing and approval list fees</td>
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<td>(iq) Natural resources magazine</td>
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<td>(is) Statewide recycling administration</td>
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<td>(jL) Fox river management; fees</td>
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## Senate Bill 44

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<td>cooperative environmental assistance</td>
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### 9 Program Totals

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### Statute, Agency and Purpose

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<td>(16,679,100)</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
<td>23,751,200</td>
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#### 20.370 Department Totals

<table>
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<tr>
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<td>PROGRAM REVENUE</td>
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<td>53,010,900</td>
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<td>FEDERAL</td>
<td>(19,651,900)</td>
<td>(19,610,000)</td>
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<td>(19,892,400)</td>
<td>(19,967,200)</td>
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<td>SERVICE</td>
<td>(13,493,800)</td>
<td>(13,433,700)</td>
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<td>SEGREGATED FUNDS</td>
<td>288,378,800</td>
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<td>FEDERAL</td>
<td>(30,352,600)</td>
<td>(30,319,800)</td>
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<td>(258,026,200)</td>
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<td>(−0−)</td>
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<td>489,888,900</td>
<td>492,968,800</td>
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#### 20.373 Fox river navigational system authority

1. **Initial Costs**

3. (r) Establishment and operation SEG C −0− −0−

#### 20.373 Department Totals

<table>
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#### 20.380 Tourism, department of

4. **Tourism development promotion**

6. (a) General program operations GPR A 3,568,400 3,568,400

7. (b) Tourism marketing; general purpose revenue GPR A 5,186,400 5,186,400

9. (g) Gifts, grants and proceeds PR C 6,200 6,200

10. (h) Tourism promotion; sale of surplus property PR C −0− −0−

12. (j) Tourism promotion – private and public sources PR C 100,000 100,000
### SENATE BILL 44

#### STATUTE, AGENCY AND PURPOSE

<table>
<thead>
<tr>
<th></th>
<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
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<td>1</td>
<td>(k) Sale of materials or services</td>
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<td>2</td>
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<tr>
<td>3</td>
<td>assistance</td>
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<td>C</td>
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<td>4</td>
<td>(kb) Sales of materials or services−individuals and organizations</td>
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<td>C</td>
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<tr>
<td>6</td>
<td>(kc) Marketing clearinghouse charges</td>
<td>PR−S</td>
<td>A</td>
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<td>7</td>
<td>(kg) Tourism marketing; gaming</td>
<td>PR−S</td>
<td>B</td>
<td>3,969,500</td>
<td>3,969,500</td>
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<td>8</td>
<td>(km) Tourist information assistant</td>
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<td>A</td>
<td>129,700</td>
<td>129,700</td>
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<td>9</td>
<td>(m) Federal aid−state operations</td>
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<td>C</td>
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<tr>
<td>10</td>
<td>(n) Federal aid−local assistance</td>
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<td>C</td>
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<td>−0−</td>
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<td>11</td>
<td>(o) Federal aid−individuals and</td>
<td>PR−F</td>
<td>C</td>
<td>−0−</td>
<td>−0−</td>
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<td>12</td>
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<tr>
<td>13</td>
<td>(q) Administrative</td>
<td>SEG</td>
<td>A</td>
<td>55,300</td>
<td>55,300</td>
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<tr>
<td>14</td>
<td>services−conservation fund</td>
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(1) **Program Totals**

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<td>4,205,400</td>
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<td>Federal</td>
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<td>−0−</td>
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<tr>
<td>Other</td>
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<td>(106,200)</td>
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<tr>
<td>Service</td>
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<td>(4,099,200)</td>
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<tr>
<td>Segregated Funds</td>
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<td>Other</td>
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<td>(55,300)</td>
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<tr>
<td>Total−All Sources</td>
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(2) **Kickapoo Valley Reserve**
### SENATE BILL 44

<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tr>
<td>(c) Kickapoo reserve management board; information technology support</td>
<td>GPR</td>
<td>A</td>
<td>17,800</td>
<td>17,800</td>
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<tr>
<td>(ip) Kickapoo reserve management board; program services</td>
<td>PR</td>
<td>C</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(ir) Kickapoo reserve management board; gifts and grants</td>
<td>PR</td>
<td>C</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(kc) Kickapoo valley reserve; law enforcement services</td>
<td>PR-S</td>
<td>A</td>
<td>31,300</td>
<td>31,300</td>
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<tr>
<td>(ms) Kickapoo reserve management board; federal aid</td>
<td>PR-F</td>
<td>C</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(q) Kickapoo reserve management board; general program operations</td>
<td>SEG</td>
<td>A</td>
<td>315,500</td>
<td>331,700</td>
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<tr>
<td>(r) Kickapoo valley reserve; aids in lieu of taxes</td>
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<td>S</td>
<td>244,700</td>
<td>266,700</td>
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#### (2) PROGRAM TOTALS

<table>
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<td>17,800</td>
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<tr>
<td>PROGRAM REVENUE</td>
<td>31,300</td>
<td>31,300</td>
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<tr>
<td>FEDERAL</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>OTHER</td>
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<td>−0−</td>
</tr>
<tr>
<td>SERVICE</td>
<td>(31,300)</td>
<td>(31,300)</td>
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<td>SEGREGATED FUNDS</td>
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<td>598,400</td>
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<td>(598,400)</td>
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<td>647,500</td>
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#### 20.380 DEPARTMENT TOTALS

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<tr>
<td>OTHER</td>
<td>(106,200)</td>
<td>(106,200)</td>
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<tr>
<td>SERVICE</td>
<td>(4,130,500)</td>
<td>(4,130,500)</td>
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<tr>
<td>SEGREGATED FUNDS</td>
<td>615,500</td>
<td>653,700</td>
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## SENATE BILL 44

**Statute, Agency and Purpose**

<table>
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<tr>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
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<td>OTHER</td>
<td></td>
<td>(615,500)</td>
<td>(653,700)</td>
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<tr>
<td>TOTAL−ALL SOURCES</td>
<td></td>
<td>13,624,800</td>
<td>13,663,000</td>
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1. **20.395 Transportation, department of**

2. (1) AIDs

3. (ar) Corrections of transportation aid payments

4. SEG S

5. 0 - 0

6. (as) Transportation aids to counties, state funds

7. SEG A

8. 91,170,200 93,449,400

9. (at) Transportation aids to municipalities, state funds

10. SEG A

11. 286,832,300 294,003,100

12. (br) Milwaukee urban area rail transit system planning study, state funds

13. SEG A

14. 0 - 0

15. (bs) Transportation employment and mobility, state funds

16. SEG C

17. 336,000 336,000

18. (bt) Urban rail transit system grants

19. SEG C

20. 0 - 0

21. (bv) Transit and transportation employment and mobility aids, local funds

22. SEG−L C

23. 110,000 110,000

24. (bx) Transit and transportation employment and mobility aids, federal funds

25. SEG−F C

26. 26,500,000 26,500,000

27. (cq) Elderly and disabled capital aids, state funds

28. SEG C

29. 921,900 921,900

30. (cr) Elderly and disabled county aids, state funds

31. SEG A

32. 8,146,300 8,373,000
<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tr>
<td>(cv) Elderly and disabled aids, local funds</td>
<td>SEG-L</td>
<td>C</td>
<td>605,500</td>
<td>605,500</td>
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<tr>
<td>(cx) Elderly and disabled aids, federal funds</td>
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<td>C</td>
<td>1,500,000</td>
<td>1,500,000</td>
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<tr>
<td>(dq) Commuter rail transit system development grants, state funds</td>
<td>SEG</td>
<td>A</td>
<td>-0-</td>
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<tr>
<td>(dv) Commuter rail transit system development grants, local funds</td>
<td>SEG-L</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(dx) Commuter rail transit system development grants, federal funds</td>
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<td>C</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>(ex) Highway safety, local assistance, federal funds</td>
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<td>C</td>
<td>1,700,000</td>
<td>1,700,000</td>
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<td>(fq) Connecting highways aids, state funds</td>
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<td>A</td>
<td>12,851,900</td>
<td>12,851,900</td>
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<td>(fs) Flood damage aids, state funds</td>
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<td>S</td>
<td>600,000</td>
<td>600,000</td>
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<tr>
<td>(ft) Lift bridge aids, state funds</td>
<td>SEG</td>
<td>B</td>
<td>1,515,000</td>
<td>1,515,000</td>
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<td>(fu) County forest road aids, state funds</td>
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<td>303,300</td>
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<td>(gq) Expressway policing aids, state funds</td>
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<td>A</td>
<td>1,040,800</td>
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<td>(hr) Tier B transit operating aids, state funds</td>
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<td>(hs) Tier C transit operating aids, state funds</td>
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<td>5,716,800</td>
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SENOATE BILL 44

<table>
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<td>(ig) Professional football stadium maintenance and operating costs, state funds</td>
<td>PR</td>
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(1) PROGRAM TOTALS

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<td>(29,700,000)</td>
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<td>TOTAL—ALL SOURCES</td>
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(2) LOCAL TRANSPORTATION ASSISTANCE

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<td>C</td>
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<td>-0-</td>
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<tr>
<td>(av) Accelerated local bridge improvement assistance, local funds</td>
<td>SEG–L</td>
<td>C</td>
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<td>-0-</td>
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<tr>
<td>(ax) Accelerated local bridge improvement assistance, federal funds</td>
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<td>-0-</td>
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<td>(bq) Rail service assistance, state funds</td>
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<td>-0-</td>
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<tr>
<td>-----------------------------</td>
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</tr>
<tr>
<td>(bv) Rail service assistance, local funds</td>
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<td>500,000</td>
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<tr>
<td>(bw) Freight rail assistance loan repayments, local funds</td>
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<td>4,000,000</td>
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<tr>
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<td>50,000</td>
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<td>1,143,200</td>
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<td>-0-</td>
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<tr>
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<td>4,060,600</td>
<td>4,572,600</td>
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<td>12,035,600</td>
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<td>8,430,700</td>
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<tr>
<td>(ev) Local bridge improvement assistance, local funds</td>
<td>SEG-L C</td>
<td>8,780,400</td>
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<td>24,438,300</td>
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<td>(fb) Local roads for job preservation, state funds</td>
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### Senate Bill 44 - 2003-04 Legislature

**Section 286**

#### Statute, Agency and Purpose

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## Statute, Agency and Purpose

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(4) Program Totals

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<td>FEDERAL</td>
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<td>OTHER</td>
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(5) Motor Vehicle Services and Enforcement

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<td>12</td>
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<td>14</td>
<td>(cL) Licensing fees, state funds</td>
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### Statute, Agency and Purpose

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<tr>
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<td>(dh) Traffic academy tuition payments, state funds</td>
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<td>(di) Chemical testing training and services, state funds</td>
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<td>(dk) Public safety radio management, service funds</td>
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<td>8</td>
<td>(dq) Vehicle inspection, traffic enforcement and radio management, state funds</td>
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<td>9</td>
<td>(dx) Vehicle inspection and traffic enforcement, federal funds</td>
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<td>(ek) Safe-ride grant program; state funds</td>
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<td>11</td>
<td>(fq) Motor vehicle emission inspection &amp; maint. prog.; petroleum inspection fund</td>
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## Senate Bill 44

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<tr>
<td>(hq) Motor veh. emission insp. and maint. program, contractor costs, state funds</td>
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<td>(iv) Municipal and county registration fee, local funds</td>
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### (5) Program Totals

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<td>Other</td>
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<td>(140,336,500)</td>
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<td>Total—All Sources</td>
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### (6) Debt Services

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<tbody>
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<td>Principal repayment and interest, local roads for job preserv, state funds</td>
<td>GPR</td>
<td>S</td>
<td>168,900</td>
<td>168,900</td>
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<tr>
<td>Principal repayment and interest, transportation facilities, state funds</td>
<td>SEG</td>
<td>S</td>
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<td>Principal repayment and interest, buildings, state funds</td>
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### Statute, Agency and Purpose

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<td></td>
<td>major highway &amp; rehab. proj., state</td>
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<td>2</td>
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#### (6) Program Totals

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#### (9) General Provisions

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#### (9) Program Totals

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#### 20.395 Department Totals

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<td>PROGRAM REVENUE</td>
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Environmental Resources
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES 192,814,500 196,981,900
PROGRAM REVENUE 61,703,200 61,676,000
FEDERAL (19,651,900) (19,610,000)
OTHER (24,213,900) (24,288,700)
SERVICE (17,837,400) (17,777,300)
SEGREGATED FUNDS 2,336,864,300 2,500,362,100
FEDERAL (624,474,500) (649,541,900)
OTHER (1,279,749,400) (1,366,304,500)
SERVICE (359,835,600) (410,597,300)
LOCAL (72,804,800) (73,918,400)
TOTAL−ALL SOURCES 2,591,382,000 2,759,020,000

Human Relations and Resources

1 20.410 Corrections, department of

2 (1) ADULT CORRECTIONAL SERVICES

3 (a) General program operations GPR A 487,342,900 493,530,400

4 (aa) Institutional repair and
maintenance GPR A 4,152,600 4,201,300

5 (ab) Corrections contracts and
agreements GPR A 49,687,200 46,442,200

6 (b) Services for community corrections GPR A 95,863,700 95,865,100

9 (bm) Pharmacological treatment for
certain child sex offenders GPR A 698,500 698,500
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<td>(c) Reimbursement claims of counties containing state prisons</td>
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<td>(gh) Supervision of persons on lifetime supervision</td>
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<td>(gr) Home detention services</td>
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<td>750,700</td>
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(1) **Program Totals**

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(2) **Program Totals**

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(3) **Juvenile Correctional Services**

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<td>(c) Reimbursement claims of counties containing secured correctional facilities</td>
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<td>(cd) Community youth and family aids</td>
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<td>(cg) Serious juvenile offenders</td>
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<td>(e) Principal repayment and interest</td>
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<td>(g) Legal service collections</td>
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### Senate Bill 44

**Statute, Agency and Purpose**

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**Program Totals**

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**Department Totals**

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**20.425 Employment relations commission**

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**Department Totals**

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### Statute, Agency and Purpose

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#### 20.432 Board on aging and long-term care

1. **Identification of the needs of the aged and disabled**

2. **General program operations**

3. **Gifts and grants**

4. **Contracts with other state agencies**

5. **Insurance and other information, counseling and assistance**

6. **Federal aid**

#### 20.433 Child abuse and neglect prevention board

9. **Prevention of child abuse and neglect**

10. **General program operations**

11. **Grants to organizations**

12. **Gifts and grants**

13. **Interagency programs**

14. **Federal project operations**

15. **Federal project aids**
## Statute, Agency and Purpose

<table>
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### 20.433 Department Totals

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<td>OTHER</td>
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### 20.435 Health and family services, department of

1. Public health services planning, regulation and delivery; state operations

2. General program operations

3. Tobacco control: annual transfer from general fund

4. Tobacco control: gifts and grants

5. Licensing, review and certifying activities fees; supplies and services

6. Supplemental food program for women, infants and children

7. Gifts and grants

8. Congenital disorders; operations

9. Interagency and intra-agency programs

10. Federal project operations

11. Block grant operations
### STATUTE, AGENCY AND PURPOSE

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#### (1) PROGRAM TOTALS

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#### (2) CARE AND TREATMENT FACILITIES

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## Senate Bill 44

### Statute, Agency and Purpose

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### Program Totals

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### Children and Family Services

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SENATE BILL 44

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(3) PROGRAM TOTALS

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(4) HEALTH SERVICES PLANNING, REG & DELIVERY; HLTH CARE FIN; OTHER SUPPORT PGMS

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<td>(b) Medical assistance program benefits</td>
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## SENATE BILL 44

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## SENATE BILL 44

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<td>(pa) Federal aid; medical assistance and food stamps contracts administration</td>
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<td>(pv) Food stamps; electronic benefits transfer</td>
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**SENATE BILL 44**

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**Program Totals**

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<tr>
<td><strong>Other</strong></td>
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<td><strong>Segregated Funds</strong></td>
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**Community Health Services Planning, Regulation & Delivery, AIDS & Local Assistance**

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<td>payment related to human</td>
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## Senate Bill 44

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### 5) Program Totals

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### 6) Supportive Living; State Operations

- (a) General program operations; physical disabilities; publicity activities
  - GPR A 12,595,800 11,767,400

- (dm) Nursing home monitoring and receivership supplement
  - GPR S -0- -0-

- (ee) Principal repayment and interest
  - GPR S 59,800 54,300

- (ga) Admin. exp. for state suppl to federal supplemental security income program
  - GPR A 611,800 611,800

- (g) Nursing facility resident protection
  - PR C 150,000 150,000

- (gb) Alcohol and drug abuse initiatives
  - PR C 1,141,600 1,147,800

- (gd) Group home revolving loan fund
  - PR A 100,000 100,000
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### Statute, Agency and Purpose

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</table>

(7) Program Totals

<table>
<thead>
<tr>
<th>General Purpose Revenues</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>Federal</td>
<td>(146,762,700)</td>
<td>(147,298,700)</td>
</tr>
<tr>
<td>Service</td>
<td>(25,659,200)</td>
<td>(24,891,100)</td>
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<tr>
<td>General Administration</td>
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<td>621,289,600</td>
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<td>Gifts and grants</td>
<td>410,500</td>
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<tr>
<td>Administrative and support services</td>
<td>34,156,600</td>
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<td>-0-</td>
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<td>Federal project aids</td>
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<td>Federal block grant operations</td>
<td>1,336,500</td>
<td>1,346,300</td>
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2003 – 2004 Legislature

SENATE BILL 44

SECTION 286

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<th>Source</th>
<th>Type</th>
<th>2003-04</th>
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<td>(mm) Reimbursements from federal government</td>
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(8) Program Totals

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<td>General Purpose Revenues</td>
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<tr>
<td>Other</td>
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<td>Service</td>
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20.435 Department Totals

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<td>(3,134,262,400)</td>
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<td>Other</td>
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<td>Service</td>
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<td>Segregated Funds</td>
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20.440 Health and educational facilities authority

(1) Construction of health and educational facilities

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(1) Program Totals

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(2) Rural hospital loan guarantee

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# Senate Bill 44

## 20.440 Department Totals

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<td>Total-All Sources</td>
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## Workforce Development, Department of

1. **20.445** Workforce development, department of

2. (1) Workforce Development

3. (a) General program operations
   - Source: GPR
   - Type: A
   - 2003-04: 5,004,500
   - 2004-05: 5,251,700

4. (aa) Special death benefit
   - Source: GPR
   - Type: S
   - 2003-04: 479,100
   - 2004-05: 479,100

5. (bc) Assistance for dislocated workers
   - Source: GPR
   - Type: A
   - 2003-04: -0-
   - 2004-05: -0-

6. (cm) Wisconsin service corps member
   - Source: GPR
   - Type: C
   - 2003-04: -0-
   - 2004-05: -0-

7. (e) Local youth apprenticeship grants
   - Source: GPR
   - Type: A
   - 2003-04: 2,203,000
   - 2004-05: 2,203,000

8. (ef) School-to-work programs for children at risk
   - Source: GPR
   - Type: A
   - 2003-04: 285,000
   - 2004-05: 285,000

9. (em) Youth apprenticeship training
   - Source: GPR
   - Type: A
   - 2003-04: -0-
   - 2004-05: -0-

10. (f) Death and disability benefit payments; public insurrections
    - Source: GPR
    - Type: S
    - 2003-04: -0-
    - 2004-05: -0-

11. (fg) Employment transit aids, state funds
    - Source: GPR
    - Type: A
    - 2003-04: 550,100
    - 2004-05: 550,100

12. (g) Gifts and grants
    - Source: PR
    - Type: C
    - 2003-04: -0-
    - 2004-05: -0-

13. (ga) Auxiliary services
    - Source: PR
    - Type: C
    - 2003-04: 589,800
    - 2004-05: 589,800

14. (gb) Local agreements
    - Source: PR
    - Type: C
    - 2003-04: 3,517,100
    - 2004-05: 3,517,100

15. (gc) Unemployment administration
    - Source: PR
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<td>(ha) Worker’s compensation operations</td>
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<td>(hp) Uninsured employers program; administration</td>
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<td>A</td>
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<td>(jm) Dislocated worker program grants</td>
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<td>(kd) Transfer of Indian gaming receipts; work-based learning programs</td>
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<td>(m) Workforce investment and assistance</td>
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<td>(o) Equal rights; federal moneys</td>
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<td>(p) Worker's compensation; federal moneys</td>
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<td>(s) Self-insured employers liability fund</td>
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SENATE BILL 44

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<td>(t) Work injury supplemental benefit fund</td>
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(1) PROGRAM TOTALS

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(2) REVIEW COMMISSION

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(2) PROGRAM TOTALS

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(3) ECONOMIC SUPPORT
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<td>(L) Public assistance overpayment recovery and fraud and error reduction</td>
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<td>43,244,100</td>
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<tr>
<td>4</td>
<td>(pv) Electronic benefits transfer</td>
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<td></td>
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<td>5</td>
<td>(pz) Income augmentation services</td>
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<td>6</td>
<td>(q) Centralized support receipt and disbursement; interest</td>
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<td>7</td>
<td>(qm) Child support state ops and reimb for claims and expenses; unclaimed</td>
<td>SEG</td>
<td>S</td>
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<td>8</td>
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<td></td>
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<td>(499,372,500)</td>
<td>(499,357,000)</td>
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<tr>
<td></td>
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<td>(10,908,600)</td>
<td>(10,701,100)</td>
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<td></td>
<td>SERVICE</td>
<td>(106,159,100)</td>
<td>(105,159,100)</td>
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<td>2,100,000</td>
<td>2,100,000</td>
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<tr>
<td></td>
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<td>(2,100,000)</td>
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<td>782,437,900</td>
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### (5) Vocational Rehabilitation Services

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<td>18</td>
<td>(gg) Contractual services</td>
<td>PR</td>
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<td>33,300</td>
<td>33,300</td>
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<td>19</td>
<td>(gp) Contractual services aids</td>
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### STATUTE, AGENCY AND PURPOSE

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<td>1</td>
<td>(h)</td>
<td>Enterprises and services for blind and visually impaired</td>
<td>PR</td>
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<td>2</td>
<td>(he)</td>
<td>Supervised business enterprise</td>
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<td>C</td>
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<td>3</td>
<td>(i)</td>
<td>Gifts and grants</td>
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<td>4</td>
<td>(kg)</td>
<td>Vocational rehabilitation services for tribes</td>
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<td>5</td>
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<td>PR−S</td>
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<td>6</td>
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<td>7</td>
<td>(kz)</td>
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<td>8</td>
<td>(m)</td>
<td>Federal project operations</td>
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<td>C</td>
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<td>9</td>
<td>(ma)</td>
<td>Federal project aids</td>
<td>PR−F</td>
<td>C</td>
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<td>10</td>
<td>(n)</td>
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#### (5) PROGRAM TOTALS

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<td>GENERAL PURPOSE REVENUES</td>
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<td>FEDERAL</td>
<td>(55,834,400)</td>
<td>(56,509,400)</td>
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<td>OTHER</td>
<td>(491,500)</td>
<td>(491,500)</td>
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<td>(1,350,000)</td>
<td>(1,350,000)</td>
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#### 20.445 DEPARTMENT TOTALS

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<td>(677,976,900)</td>
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<td>(36,262,500)</td>
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<td>(159,045,400)</td>
<td>(159,045,500)</td>
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<td>20.455 Justice, department of</td>
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<tr>
<td>(1) Legal and Regulatory Services</td>
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<td>(a) General program operations</td>
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<tr>
<td>(b) Special counsel</td>
<td>GPR</td>
<td>S</td>
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<tr>
<td>(d) Legal expenses</td>
<td>GPR</td>
<td>B</td>
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<tr>
<td>(g) Consumer protection, information and education</td>
<td>PR</td>
<td>A</td>
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<tr>
<td>(gs) Delinquent obligation collection</td>
<td>PR</td>
<td>A</td>
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<tr>
<td>(hm) Restitution</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>(j) Telephone solicitation regulation</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>(k) Environment litigation project</td>
<td>PR-S</td>
<td>C</td>
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<tr>
<td>(km) Interagency and intra-agency assistance</td>
<td>PR-S</td>
<td>A</td>
</tr>
<tr>
<td>(kt) Telecommunications positions</td>
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<td>C</td>
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<td>(m) Federal aid</td>
<td>PR-F</td>
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(1) Program Totals

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<td>Federal</td>
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<tr>
<td>Other</td>
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<td>(283,500)</td>
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<tr>
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<td>(1,413,800)</td>
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<td>Total--All Sources</td>
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(2) Law Enforcement Services

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<th>Source</th>
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<tr>
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<td>11,250,100</td>
<td>11,250,300</td>
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<tr>
<td>STATUTE, AGENCY AND PURPOSE</td>
<td>SOURCE</td>
<td>TYPE</td>
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<td>2004-05</td>
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<td>-----------------------------</td>
<td>--------</td>
<td>------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>(am) Officer training reimbursement</td>
<td>GPR</td>
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<td>97,400</td>
<td>97,400</td>
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<tr>
<td>(b) Investigations and operations</td>
<td>GPR</td>
<td>A</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(c) Crime laboratory equipment</td>
<td>GPR</td>
<td>B</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(cm) Computers for transaction information for management of enforcement system</td>
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<td>A</td>
<td>982,200</td>
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<td>(dg) Weed and seed and law enforcement technology</td>
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<td>−0−</td>
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<td>(dq) Law enforcement community policing grants</td>
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<tr>
<td>(e) Drug enforcement</td>
<td>GPR</td>
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<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(g) Gaming law enforcement; racing revenues</td>
<td>PR</td>
<td>A</td>
<td>130,900</td>
<td>131,900</td>
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<tr>
<td>(gc) Gaming law enforcement; Indian gaming</td>
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<td>109,800</td>
<td>111,100</td>
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<td>(gm) Criminal history searches; fingerprint identification</td>
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<td>3,438,300</td>
<td>3,684,200</td>
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<td>(gr) Gun purchaser record checks</td>
<td>PR</td>
<td>C</td>
<td>377,900</td>
<td>377,900</td>
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<tr>
<td>(h) Terminal charges</td>
<td>PR</td>
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<td>2,621,700</td>
<td>2,621,700</td>
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<td>(i) Penalty assessment surcharge, receipts</td>
<td>PR</td>
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<td>−0−</td>
<td>−0−</td>
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## Statute, Agency and Purpose

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<th>2004-05</th>
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<td>3,377,800</td>
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<td>2</td>
<td>(jb) Crime laboratory equipment and supplies</td>
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<td>377,300</td>
<td>377,300</td>
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<td>3</td>
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<td>C</td>
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<td>187,900</td>
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<tr>
<td>4</td>
<td>(kd) Drug law enforcement, crime laboratories, and genetic evidence activities</td>
<td>PR-S</td>
<td>A</td>
<td>4,065,400</td>
<td>4,088,600</td>
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<td>5</td>
<td>(ke) Drug enforcement intelligence operations</td>
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<td>A</td>
<td>1,496,200</td>
<td>1,505,000</td>
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<tr>
<td>6</td>
<td>(kf) Narcotics purchase appropriation</td>
<td>PR-S</td>
<td>A</td>
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<td>A</td>
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<td>8</td>
<td>(km) Lottery background investigations</td>
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<td>-0-</td>
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<td>9</td>
<td>(Lm) Crime laboratories; deoxyribonucleic acid analysis</td>
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<td>650,500</td>
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<td>10</td>
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<td>1,847,500</td>
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<td>-0-</td>
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<td>-0-</td>
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<td>13</td>
<td>(r) Gaming law enforcement; lottery</td>
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<td>299,200</td>
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### Program Totals

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### Statute, Agency and Purpose

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<th>2004-05</th>
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<td>(1,847,500)</td>
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<td>(5,806,500)</td>
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<td>302,100</td>
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<td>OTHER</td>
<td></td>
<td></td>
<td>(299,200)</td>
<td>(302,100)</td>
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<td>TOTAL-ALL SOURCES</td>
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<td>37,225,800</td>
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1. **(3) Administrative Services**

2. (a) General program operations | GPR A | 3,873,400 | 3,873,400 |

3. (g) Gifts, grants and proceeds | PR C | -0- | -0- |

4. (k) Interagency and intra-agency assistance | PR-S A | -0- | -0- |

5. (m) Federal aid, state operations | PR-F C | -0- | -0- |

6. (pz) Indirect cost reimbursements | PR-F C | 102,100 | 102,100 |

#### (3) Program Totals

<table>
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<th>Program Revenues</th>
<th>2003-04</th>
<th>2004-05</th>
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<td>3,873,400</td>
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<td>PROGRAM REVENUE</td>
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<td>102,100</td>
</tr>
<tr>
<td>FEDERAL</td>
<td>(102,100)</td>
<td>(102,100)</td>
</tr>
<tr>
<td>OTHER</td>
<td>(-0-)</td>
<td>(-0-)</td>
</tr>
<tr>
<td>SERVICE</td>
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<td>(-0-)</td>
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<td>TOTAL-ALL SOURCES</td>
<td>3,975,500</td>
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8. **(5) Victims and Witnesses**

9. (a) General program operations | GPR A | 903,800 | 905,300 |

10. (b) Awards for victims of crimes | GPR A | 1,258,000 | 1,258,000 |

11. (c) Reimbursement for victim and witness services | GPR A | 1,422,200 | 1,422,200 |

13. (g) Crime victim and witness assistance surcharge, general services | PR A | 2,566,600 | 2,566,600 |
<table>
<thead>
<tr>
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<th>SOURCE</th>
<th>TYPE</th>
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<th>2004-05</th>
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<tr>
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<td>PR</td>
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<td>41,000</td>
<td>41,000</td>
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<tr>
<td>(hm) Subrogation payments for awards for victims of crime</td>
<td>PR</td>
<td>C</td>
<td>200,000</td>
<td>200,000</td>
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<td>(i) Victim compensation, inmate payments</td>
<td>PR</td>
<td>C</td>
<td>9,700</td>
<td>9,700</td>
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<tr>
<td>(k) Interagency and intra-agency assistance; reimbursement to counties</td>
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<td>962,400</td>
<td>962,400</td>
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<tr>
<td>(kj) Victim payments, victim surcharge</td>
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<td>(m) Federal aid; victim compensation</td>
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(5) PROGRAM TOTALS

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### Senate Bill 44

#### Statute, Agency and Purpose

- **20.455 Department Totals**
  - General Purpose Revenues: $33,250,400 (2003-04), $33,157,200 (2004-05)
  - Program Revenues: $39,073,400 (2003-04), $38,808,700 (2004-05)
  - Federal: $7,562,100 (2003-04), $7,562,100 (2004-05)
  - Other: $21,553,900 (2003-04), $21,802,100 (2004-05)
  - Service: $9,957,400 (2003-04), $9,444,500 (2004-05)
  - Segregated Funds: $299,200 (2003-04), $302,100 (2004-05)
  - Other: $299,200 (2003-04), $302,100 (2004-05)
  - Total—All Sources: $72,623,000 (2003-04), $72,268,000 (2004-05)

#### 20.465 Military Affairs, Department of

1. **National Guard Operations**
   - (a) General program operations
     - Type: GPR, Source: A
     - 2003-04: $4,764,200
     - 2004-05: $4,760,800
   - (b) Repair and maintenance
     - Type: GPR, Source: A
     - 2003-04: $601,700
     - 2004-05: $605,100
   - (c) Public emergencies
     - Type: GPR, Source: S
     - 2003-04: $48,500
     - 2004-05: $48,500
   - (d) Principal repayment and interest
     - Type: GPR, Source: S
     - 2003-04: $3,368,600
     - 2004-05: $3,413,600
   - (e) State service flags
     - Type: GPR, Source: A
     - 2003-04: $400
     - 2004-05: $400
   - (f) Energy costs
     - Type: GPR, Source: A
     - 2003-04: $1,531,200
     - 2004-05: $1,539,600
   - (g) Military property
     - Type: PR, Source: A
     - 2003-04: $520,900
     - 2004-05: $520,900
   - (h) Intergovernmental services
     - Type: PR, Source: A
     - 2003-04: $220,300
     - 2004-05: $220,300
   - (i) Distance learning centers
     - Type: PR, Source: C
     - 2003-04: $0
     - 2004-05: $0
   - (k) Armory store operations
     - Type: PR-S, Source: A
     - 2003-04: $240,200
     - 2004-05: $240,200
   - (km) Agency services
     - Type: PR-S, Source: A
     - 2003-04: $68,300
     - 2004-05: $68,300
   - (Li) Gifts and grants
     - Type: PR, Source: C
     - 2003-04: $0
     - 2004-05: $0
   - (m) Federal aid
     - Type: PR-F, Source: C
     - 2003-04: $17,566,900
     - 2004-05: $17,566,900
   - (pz) Indirect cost reimbursements
     - Type: PR-F, Source: C
     - 2003-04: $434,200
     - 2004-05: $434,200

#### (1) Program Totals

- **General Purpose Revenues**: $10,314,600 (2003-04), $10,368,000 (2004-05)
- **Program Revenue**: $19,050,800 (2003-04), $19,050,800 (2004-05)
- **Federal**: ($18,001,100) (2003-04), ($18,001,100) (2004-05)
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<tr>
<th>Statute, Agency and Purpose</th>
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<td>(g) Program fees</td>
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<td>(h) Gifts, grants and contributions</td>
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## Statute, Agency and Purpose

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<td>2</td>
<td>(ka)</td>
<td>Youth challenge program; public instruction funds</td>
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<td>(m)</td>
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### (4) Program Totals

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### 20.465 Department Totals

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### 20.475 District Attorneys

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<tr>
<td>8</td>
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<td>10</td>
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### Statute, Agency and Purpose

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<td>2</td>
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#### 20.475 Department Totals

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### 20.485 Veterans Affairs, Department of

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<tr>
<td>institutional operations</td>
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<tr>
<td>(d) Cemetery maintenance and</td>
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<td>beautification</td>
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### Senate Bill 44

**Statute, Agency and Purpose**

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#### (1) Program Totals

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<tr>
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### (2) Loans and Aids to Veterans

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<td>8</td>
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<td>A</td>
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<tr>
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<td>Veterans memorials at The Highground</td>
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<td>10</td>
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<td>11</td>
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<td>13</td>
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## Senate Bill 44

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<td>1 (kg) American Indian services coordinator</td>
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<td>193,200</td>
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<td>4 (m) Federal aid; veterans training</td>
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<td>5 (mn) Federal projects; museum acquisitions and operations</td>
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## Senate Bill 44

### Statute, Agency and Purpose

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<td>(vo) Veterans of World War I</td>
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<td>3</td>
<td>(vw) Payments to veterans organizations for claims service</td>
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<td>A</td>
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<td>5</td>
<td>(w) Home for needy veterans</td>
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<td>6</td>
<td>(wd) Operation of Wisconsin veterans museum</td>
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<td>A</td>
<td>777,000</td>
<td>760,700</td>
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<td>7</td>
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<td>(yg) Acquisition of 1981 revenue bond mortgages</td>
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<tr>
<td>11</td>
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### Program Totals

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<td>Service</td>
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### Self-Amortizing Mortgage Loans for Veterans

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### 2003 – 2004 Legislature

**SENATE BILL 44**

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<td>4 (rm) Other reserves</td>
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<td>5 (s) General program operations</td>
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<td>9 (w) Revenue obligation funding</td>
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<td>10 (wd) Loan-servicing administration</td>
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<td>-0-</td>
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<tr>
<td>11 (wg) Escrow payments, recoveries, and refunds</td>
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<td>C</td>
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<td>12 (wp) Loan-servicing rights</td>
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**(3) PROGRAM TOTALS**

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<thead>
<tr>
<th>GENERAL PURPOSE REVENUES</th>
<th>SEGREGATED FUNDS</th>
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<th>TOTAL–ALL SOURCES</th>
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<tr>
<td></td>
<td>-0-</td>
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<tr>
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<td>(87,081,000)</td>
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<tr>
<th>14 (4) VETERANS MEMORIAL CEMETERIES</th>
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<tr>
<td>15 (g) Cemetery operations</td>
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<tr>
<td>16 (h) Gifts, grants and bequests</td>
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<tr>
<td>17 (m) Federal aid; cemetery operations and burials</td>
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<td>18 (q) Cemetery administration and maintenance</td>
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### Statute, Agency and Purpose

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<tr>
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<td>2</td>
<td>(r)</td>
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#### (4) PROGRAM TOTALS

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#### (5) EDUCATIONAL APPROVAL BOARD

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<tr>
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<td>Proprietary school programs</td>
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<td>6</td>
<td>(gm)</td>
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<td>7</td>
<td>(h)</td>
<td>Certification of massage therapists and bodyworkers</td>
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#### (5) PROGRAM TOTALS

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#### 20.485 DEPARTMENT TOTALS

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#### 20.490 Wisconsin housing and economic development authority

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1. **Housing Rehabilitation Loan Program**

2. (a) General program operations  
   - General Purpose Revenues  
   - Segregated Funds  
   - Other

3. (q) Loan loss reserve fund  
   - General Purpose Revenues  
   - Segregated Funds  
   - Other

4. **Disadvantaged Business Mobilization Assistance**

5. (g) Disadvantaged business

6. Mobilization loan guarantee  
   - General Purpose Revenues  
   - Segregated Funds  
   - Other

7. **Wisconsin Development Loan Guarantees**

8. (a) Wisconsin development reserve fund  
   - General Purpose Revenues  
   - Segregated Funds  
   - Other

9. (q) Recycling fund transfer to Wisconsin development reserve fund  
   - General Purpose Revenues  
   - Segregated Funds  
   - Other

10. (r) Agrichemical management fund transfer to Wisconsin development reserve fund  
    - General Purpose Revenues  
    - Segregated Funds  
    - Other
### Statute, Agency and Purpose

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<td>C</td>
<td>99,818,300</td>
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<td></td>
<td>20.495 Department Totals</td>
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<td>102,802,700</td>
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<td>(99,818,300)</td>
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Human Relations and Resources
FUNCTIONAL AREA TOTALS

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General Executive Functions

1 20.505 Administration, department of

2 (1) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD

3 (a) General program operations  GPR A 10,925,700  11,029,400

4 (b) Midwest interstate low−level radioactive waste compact; loan from gen. fund  GPR C −0− −0−

5 (br) Appropriation obligations repayment  GPR A −0− −0−

6 (cm) Comprehensive planning grants; general purpose revenue  GPR A −0− −0−

7 (cn) Comprehensive planning; administrative support  GPR A −0− −0−

8 (fo) Federal resource acquisition support grants  GPR A −0− −0−
### Senate Bill 44

#### Statute, Agency and Purpose

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<td>(g) Midwest interstate low-level radioactive waste compact; membership &amp; costs</td>
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<td>4</td>
<td>(ge) High-voltage transmission line annual impact fee distributions</td>
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<td>6</td>
<td>(gs) High-voltage transmission line environmental impact fee distributions</td>
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<td>(is) Information technology and communication services; non-state entities</td>
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<td>(ka) Materials and services to state agencies and certain districts</td>
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<td>5,635,400</td>
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<td>(ke) Telecommunications services; state agencies; veterans services</td>
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<td>(km) University of Wisconsin–Green Bay programming</td>
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<td>(kp) Publications</td>
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<td>(ks) Wisconsin land council; state agency support</td>
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<td>(mb) Federal aid</td>
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<td>(pz) Indirect cost reimbursements</td>
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<td>(r) VendorNet fund administration</td>
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### Statute, Agency and Purpose

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<td>1</td>
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<td>Excise tax fund – provision of&lt;br&gt;reserves and pymt. of costs – rev.</td>
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<td>3</td>
<td>(v)</td>
<td>General program operations —&lt;br&gt;environmental improvement programs; state funds</td>
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<td>4</td>
<td>(x)</td>
<td>General program operations —&lt;br&gt;clean water fund program; federal&lt;br&gt;funds</td>
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<td>5</td>
<td>(y)</td>
<td>General program operations — safe&lt;br&gt;drinking water loan program; federal&lt;br&gt;funds</td>
<td>SEG-F</td>
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<td>6</td>
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<td>Transportation planning grants to&lt;br&gt;local governmental units</td>
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#### (1) Program Totals

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<td>Other</td>
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#### (2) Risk Management

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<td>16</td>
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<td>General fund supplement — risk&lt;br&gt;management claims</td>
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(2) PROGRAM TOTALS

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(3) Utility Public Benefits and Air Quality Improvement

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<td>(rr) Air quality improvement grants</td>
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<td>(s) Energy conservation and efficiency and renewable resource grants</td>
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(3) PROGRAM TOTALS

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<td>(49,686,400)</td>
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(4) Attached Divisions and Other Bodies

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<td>(b) Adjudication of equalization appeals</td>
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<td>(d) Claims awards</td>
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<td>(f) Hearings and appeals operations</td>
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## SENATE BILL 44

### STATEMENT, AGENCY AND PURPOSE

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<td>(j) National and community service board; gifts and grants</td>
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<td>2</td>
<td>(k) Waste facility siting board; general program operations</td>
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<td>2,678,400</td>
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<td>6</td>
<td>(o) National and community service board; federal aid for administration</td>
<td>PR-F</td>
<td>A</td>
<td>429,800</td>
<td>429,800</td>
</tr>
<tr>
<td>7</td>
<td>(p) National and community service board; federal aid for grants</td>
<td>PR-F</td>
<td>C</td>
<td>3,354,300</td>
<td>3,354,300</td>
</tr>
<tr>
<td>8</td>
<td>(r) State capitol and executive residence board; gifts and grants</td>
<td>SEG</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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</table>

### PROGRAM TOTALS

<table>
<thead>
<tr>
<th>Description</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>General Purpose Revenues</td>
<td>2,615,200</td>
<td>2,618,900</td>
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<tr>
<td>Program Revenue</td>
<td>6,672,000</td>
<td>6,672,000</td>
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<tr>
<td>Federal</td>
<td>(3,784,100)</td>
<td>(3,784,100)</td>
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<tr>
<td>Other</td>
<td>(32,100)</td>
<td>(32,100)</td>
</tr>
<tr>
<td>Service</td>
<td>(2,855,800)</td>
<td>(2,855,800)</td>
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<tr>
<td>Segregated Funds</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>Other</td>
<td>(-0-)</td>
<td>(-0-)</td>
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<tr>
<td>Total—All Sources</td>
<td>9,287,200</td>
<td>9,290,900</td>
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(5) FACILITIES MANAGEMENT
<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) Principal repayment and interest;</td>
<td>GPR</td>
<td>S</td>
<td>45,000</td>
<td>112,600</td>
</tr>
<tr>
<td>Black Point Estate</td>
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<tr>
<td>(g) Principal repayment, interest and rebates; parking</td>
<td>PR-S</td>
<td>S</td>
<td>1,762,100</td>
<td>1,763,600</td>
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<tr>
<td>(ka) Facility operations and maintenance; police and protection functions</td>
<td>PR-S</td>
<td>A</td>
<td>36,677,700</td>
<td>36,677,700</td>
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<tr>
<td>(kb) Parking</td>
<td>PR</td>
<td>A</td>
<td>1,114,900</td>
<td>1,114,900</td>
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<tr>
<td>(kc) Principal repayment, interest and rebates</td>
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<td>C</td>
<td>16,769,500</td>
<td>16,821,700</td>
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(5) Program Totals

<table>
<thead>
<tr>
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<th>2003-04</th>
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<tbody>
<tr>
<td>General Purpose Revenues</td>
<td>45,000</td>
<td>112,600</td>
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<tr>
<td>Program Revenue</td>
<td>56,324,200</td>
<td>56,377,900</td>
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<tr>
<td>Other</td>
<td>(1,114,900)</td>
<td>(1,114,900)</td>
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<td>Service</td>
<td>(55,209,300)</td>
<td>(55,263,000)</td>
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<tr>
<td>Total—all Sources</td>
<td>56,369,200</td>
<td>56,490,500</td>
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(6) Office of Justice Assistance

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<tr>
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<tbody>
<tr>
<td>General program operations</td>
<td>215,400</td>
<td>215,400</td>
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<tr>
<td>Law enforcement officer</td>
<td></td>
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<tr>
<td>supplement grants</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td>Youth diversion</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td>Gifts and grants</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>Penalty assessment surcharge</td>
<td></td>
<td></td>
</tr>
<tr>
<td>receipts</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>Law enforcement programs and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>youth diversion – administration</td>
<td>PR-S</td>
<td>A</td>
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</table>
## Statute, Agency and Purpose

<table>
<thead>
<tr>
<th></th>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>1</td>
<td>(kj) Youth diversion program</td>
<td>PR-S</td>
<td>A</td>
<td>720,000</td>
<td>720,000</td>
</tr>
<tr>
<td>2</td>
<td>(km) Interagency and intra-agency aids</td>
<td>PR-S</td>
<td>C</td>
<td>300,000</td>
<td>300,000</td>
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<tr>
<td>3</td>
<td>(kp) Anti-drug enforcement program, penalty assessment – local</td>
<td>PR-S</td>
<td>A</td>
<td>1,468,800</td>
<td>1,406,000</td>
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<tr>
<td>4</td>
<td>(kq) County and tribal law enforcement</td>
<td>PR-S</td>
<td>A</td>
<td>2,078,000</td>
<td>2,078,000</td>
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<tr>
<td>5</td>
<td>(kt) Anti-drug enforcement program, penalty assessment – state</td>
<td>PR-S</td>
<td>A</td>
<td>891,200</td>
<td>755,200</td>
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<tr>
<td>6</td>
<td>(m) Federal aid, justice assistance, state operations</td>
<td>PR-F</td>
<td>C</td>
<td>1,354,000</td>
<td>1,354,000</td>
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<tr>
<td>7</td>
<td>(mb) Federal aid, homeland security</td>
<td>PR-F</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>8</td>
<td>(p) Federal aid, local assistance and aids</td>
<td>PR-F</td>
<td>C</td>
<td>23,077,500</td>
<td>23,077,500</td>
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</tbody>
</table>

### Program Totals

|                                | GENERAL PURPOSE REVENUES | 1,595,400 | 1,595,400 |
|                                | PROGRAM REVENUE           | 30,050,500| 29,851,700|
|                                | FEDERAL                  | (24,431,500)| (24,431,500)|
|                                | OTHER                    | (−0−)     | (−0−)     |
|                                | SERVICE                  | (5,619,000)| (5,420,200)|
|                                | TOTAL–ALL SOURCES        | 31,645,900| 31,447,100|

### Division of Gaming

<table>
<thead>
<tr>
<th></th>
<th>(am) Interest on racing and bingo</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>moneys</td>
</tr>
<tr>
<td>17</td>
<td>(g) General program operations; racing</td>
</tr>
<tr>
<td>18</td>
<td>(h) General program operations; Indian gaming</td>
</tr>
<tr>
<td>19</td>
<td>(hm) Indian gaming receipts</td>
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2003 – 2004 Legislature

SENATE BILL 44

SECTION 286

<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>(j) General program operations; raffles and crane games</td>
<td>PR</td>
<td>A</td>
<td>181,600</td>
<td>181,600</td>
</tr>
<tr>
<td>(jm) General program operations; bingo</td>
<td>PR</td>
<td>A</td>
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<td>263,500</td>
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(8) Program Totals

<table>
<thead>
<tr>
<th>Revenue Category</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>General Purpose Revenues</td>
<td>44,000</td>
<td>44,000</td>
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<tr>
<td>Program Revenue</td>
<td>3,600,400</td>
<td>3,600,400</td>
</tr>
<tr>
<td>Other</td>
<td>(3,600,400)</td>
<td>(3,600,400)</td>
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<tr>
<td>Total—All Sources</td>
<td>3,644,400</td>
<td>3,644,400</td>
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20.505 Department Totals

<table>
<thead>
<tr>
<th>Revenue Category</th>
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<th>2004-05</th>
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<tr>
<td>General Purpose Revenues</td>
<td>15,225,300</td>
<td>15,400,300</td>
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<tr>
<td>Program Revenue</td>
<td>413,762,800</td>
<td>417,022,900</td>
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<tr>
<td>Federal</td>
<td>(113,981,700)</td>
<td>(113,867,800)</td>
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<tr>
<td>Other</td>
<td>(95,741,500)</td>
<td>(95,351,000)</td>
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<tr>
<td>Service</td>
<td>(204,039,600)</td>
<td>(207,804,100)</td>
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<tr>
<td>Segregated Funds</td>
<td>51,643,900</td>
<td>51,643,900</td>
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<tr>
<td>Federal</td>
<td>(−0−)</td>
<td>(−0−)</td>
</tr>
<tr>
<td>Other</td>
<td>(50,643,900)</td>
<td>(50,643,900)</td>
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<tr>
<td>Service</td>
<td>(1,000,000)</td>
<td>(1,000,000)</td>
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<tr>
<td>Total—All Sources</td>
<td>480,632,000</td>
<td>484,067,100</td>
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</table>

20.507 Board of commissioners of public lands

(1) Trust lands and investments

(h) Trust lands and investments –

<table>
<thead>
<tr>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>General program operations</td>
<td>PR-S</td>
<td>A</td>
</tr>
</tbody>
</table>

(j) Payments to American Indian tribes or bands for raised sunken logs

<table>
<thead>
<tr>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>PR-C</td>
<td>−0−</td>
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</table>

(k) Trust lands and investments –

<table>
<thead>
<tr>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>Interagency and intra-agency assistance</td>
<td>PR-S</td>
<td>A</td>
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</table>

(mg) Federal aid — flood control

<table>
<thead>
<tr>
<th>Type</th>
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<th>2004-05</th>
</tr>
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<tbody>
<tr>
<td>PR-F</td>
<td>52,700</td>
<td>52,700</td>
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</table>

20.507 Department Totals

<table>
<thead>
<tr>
<th>Revenue Category</th>
<th>2003-04</th>
<th>2004-05</th>
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</thead>
<tbody>
<tr>
<td>Program Revenue</td>
<td>1,460,400</td>
<td>1,460,400</td>
</tr>
</tbody>
</table>
SENATE BILL 44

20.510 Elections board

1 (1) Administration of election and campaign laws

2 (a) General program operations;

3 general purpose revenue

4 GPR B 1,019,400 969,600

5 (bm) Training of chief inspectors

6 GPR B −0− −0−

7 (c) Voting system transitional assistance

8 GPR B −0− −0−

9 (g) Recount fees

10 PR C −0− −0−

11 (h) Materials and services

12 PR A 20,000 20,000

13 (i) General program operations;

14 program revenue

15 PR A 36,000 36,000

16 (j) Electronic filing software

17 PR C −0− −0−

18 (jm) Training of chief inspectors;

19 program revenue

20 PR C −0− −0−

21 (q) Wisconsin election campaign fund

22 SEG C 100,000 700,000

23 (x) Federal aid

24 SEG−F C −0− −0−

20.510 Department totals

<table>
<thead>
<tr>
<th>Source, Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>General purpose revenues</td>
<td>1,019,400</td>
<td>969,600</td>
</tr>
<tr>
<td>Program revenue</td>
<td>56,000</td>
<td>56,000</td>
</tr>
<tr>
<td>Other</td>
<td>(56,000)</td>
<td>(56,000)</td>
</tr>
<tr>
<td>Segregated funds</td>
<td>100,000</td>
<td>700,000</td>
</tr>
<tr>
<td>Federal aid</td>
<td>(−0−)</td>
<td>(−0−)</td>
</tr>
<tr>
<td>Other</td>
<td>(100,000)</td>
<td>(700,000)</td>
</tr>
<tr>
<td>Total—all sources</td>
<td>1,175,400</td>
<td>1,725,600</td>
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## Senate Bill 44

### Statute, Agency and Purpose

<table>
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<th>Type</th>
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<th>2004-05</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>20.515  Employee trust funds, department of</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td><strong>(1) Employee benefit plans</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td><strong>(a) Annuity supplements and payments</strong></td>
<td>GPR</td>
<td>S</td>
<td>2,965,500</td>
<td>2,504,300</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td><strong>(c) Contingencies</strong></td>
<td>GPR</td>
<td>S</td>
<td>−0−</td>
<td>−0−</td>
</tr>
<tr>
<td>6</td>
<td><strong>(t) Automated operating system</strong></td>
<td>SEG</td>
<td>C</td>
<td>1,043,900</td>
<td>806,800</td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td><strong>(u) Employee-funded reimbursement account plan</strong></td>
<td>SEG</td>
<td>C</td>
<td>−0−</td>
<td>−0−</td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>10</td>
<td><strong>(um) Benefit administration</strong></td>
<td>SEG</td>
<td>B</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td><strong>(ut) Health insurance data collection and analysis contracts</strong></td>
<td>SEG</td>
<td>A</td>
<td>269,800</td>
<td>269,800</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>(w) Administration</strong></td>
<td>SEG</td>
<td>A</td>
<td>17,637,400</td>
<td>17,447,100</td>
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</table>

#### (1) Program Totals

<table>
<thead>
<tr>
<th></th>
<th>GENERAL PURPOSE REVENUES</th>
<th>SEGREGATED FUNDS</th>
<th>OTHER</th>
<th>TOTAL—ALL SOURCES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>G R E N E R A L  P O S I T I O N  R E V E N U E S</strong></td>
<td>2,965,500</td>
<td>18,956,100</td>
<td></td>
<td>21,921,600</td>
</tr>
<tr>
<td><strong>S E G R E G A T E D  F U N D S</strong></td>
<td>2,504,300</td>
<td>18,528,700</td>
<td></td>
<td>21,033,000</td>
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<tr>
<td><strong>O T H E R</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td><strong>T O T A L — A L L  S O U R C E S</strong></td>
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#### (2) Private employer health care coverage program

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>13</td>
<td><strong>(2) Private employer health care coverage program</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td><strong>(a) Private employer health care coverage program; operating costs</strong></td>
<td>GPR</td>
<td>B</td>
<td>211,100</td>
<td>211,100</td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td><strong>(b) Grants for program administration</strong></td>
<td>GPR</td>
<td>B</td>
<td>−0−</td>
<td>−0−</td>
</tr>
<tr>
<td>17</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td><strong>(g) Private employer health care coverage plan</strong></td>
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<td>−0−</td>
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#### (2) Program Totals

<table>
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<tr>
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<th>GENERAL PURPOSE REVENUES</th>
<th>PROGRAM REVENUE</th>
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<tr>
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<td>211,100</td>
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</tr>
<tr>
<td><strong>PROGRAM REVENUE</strong></td>
<td></td>
<td>−0−</td>
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</tbody>
</table>
SENATE BILL 44

STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2003-04 | 2004-05

OTHER | | | (−0−) | (−0−)
TOTAL—ALL SOURCES | | | 211,100 | 211,100

20.515 DEPARTMENT TOTALS
GENERAL PURPOSE REVENUES | 3,176,600 | 2,715,400
PROGRAM REVENUE | −0− | −0−
OTHER | (−0−) | (−0−)
SEGREGATED FUNDS | 18,956,100 | 18,528,700
OTHER | (18,956,100) | (18,528,700)
TOTAL—ALL SOURCES | 22,132,700 | 21,244,100

1 20.521 Ethics board

2 (1) ETHICS AND LOBBYING REGULATION

3 (a) General program operations;

4 general purpose revenue | GPR A | 237,100 | 237,100

5 (g) General program operations;

6 program revenue | PR A | 383,500 | 383,500

7 (h) Gifts and grants | PR C | −0− | −0−

8 (i) Materials and services | PR A | 25,000 | 25,000

20.521 DEPARTMENT TOTALS
GENERAL PURPOSE REVENUES | 237,100 | 237,100
PROGRAM REVENUE | 408,500 | 408,500
OTHER | (408,500) | (408,500)
TOTAL—ALL SOURCES | 645,600 | 645,600

9 20.525 Office of the governor

10 (1) EXECUTIVE ADMINISTRATION

11 (a) General program operations | GPR S | 2,747,400 | 2,747,400

12 (b) Contingent fund | GPR S | 21,700 | 21,700

13 (c) Membership in national associations | GPR S | 145,900 | 145,900

15 (d) Disability board | GPR S | −0− | −0−
### Statute, Agency and Purpose

<table>
<thead>
<tr>
<th>#</th>
<th>Source</th>
<th>Type</th>
<th>2003-04</th>
<th>2004-05</th>
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<tbody>
<tr>
<td>1</td>
<td>PR</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<td>2</td>
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### Program Totals

<table>
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### 20.536 Investment Board

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<td>9</td>
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## Statute, Agency and Purpose

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<td>20.540 Office of the lieutenant governor</td>
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<tr>
<td>2 (1) Executive Coordination</td>
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<td>3 (a) General program operations</td>
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<tr>
<td>4 (g) Gifts, grants and proceeds</td>
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<td>C</td>
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<td>-0-</td>
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<tr>
<td>5 (k) Grants from state agencies</td>
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<td>C</td>
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<td>-0-</td>
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<tr>
<td>6 (m) Federal aid</td>
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### 20.540 Department Totals

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<td>TOTAL-ALL SOURCES</td>
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## 20.550 Public defender board

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<tr>
<td>20.550 Public defender board</td>
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<tr>
<td>7 (1) Legal Assistance</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>9 (a) Program administration</td>
<td>GPR</td>
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<td>2,463,200</td>
<td>2,465,300</td>
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<td>10 (b) Appellate representation</td>
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<td>A</td>
<td>4,264,600</td>
<td>4,272,900</td>
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<td>11 (c) Trial representation</td>
<td>GPR</td>
<td>A</td>
<td>37,264,700</td>
<td>37,285,300</td>
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<tr>
<td>12 (d) Private bar and investigator reimbursement</td>
<td>GPR</td>
<td>B</td>
<td>17,361,900</td>
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<tr>
<td>14 (e) Private bar and investigator payments; administration costs</td>
<td>GPR</td>
<td>A</td>
<td>601,000</td>
<td>601,000</td>
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<tr>
<td>16 (f) Transcripts, discovery and interpreters</td>
<td>GPR</td>
<td>A</td>
<td>1,339,100</td>
<td>1,339,100</td>
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<td>18 (fb) Payments from clients; administrative costs</td>
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### Senate Bill 44

#### Statute, Agency and Purpose

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<td>(g) Gifts and grants</td>
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<td>2</td>
<td>(h) Contractual agreements</td>
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<td>(i) Tuition payments</td>
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<td>4</td>
<td>(kj) Conferences and training</td>
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<td>5</td>
<td>(L) Private bar and inv. reimbursement; payments for legal representation</td>
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<td>C</td>
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<td>6</td>
<td>(m) Federal aid</td>
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### 20.550 Department Totals

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<td>General Purpose Revenues</td>
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<td>66,325,500</td>
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<td>Program Revenue</td>
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<td>Federal</td>
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<td>(-0-)</td>
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<tr>
<td>Other Service</td>
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<tr>
<td>Total-All Sources</td>
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### 20.566 Revenue, Department of

<table>
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<tr>
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<th>Collection of Taxes</th>
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<tbody>
<tr>
<td>11</td>
<td>(a) General program operations</td>
</tr>
<tr>
<td>12</td>
<td>(g) Administration of county sales and use taxes</td>
</tr>
<tr>
<td>13</td>
<td>(ga) Cigarette tax stamps</td>
</tr>
<tr>
<td>14</td>
<td>(gb) Business tax registration</td>
</tr>
<tr>
<td>15</td>
<td>(gd) Administration of special district taxes</td>
</tr>
<tr>
<td>16</td>
<td>(ge) Administration of local professional football stadium districts</td>
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</table>
### SENATE BILL 44

<table>
<thead>
<tr>
<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
<th>TYPE</th>
<th>2003-04</th>
<th>2004-05</th>
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</thead>
<tbody>
<tr>
<td>(gf) Administration of resort tax</td>
<td>PR</td>
<td>A</td>
<td>20,200</td>
<td>20,200</td>
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<tr>
<td>(gg) Administration of local taxes</td>
<td>PR</td>
<td>A</td>
<td>319,800</td>
<td>320,700</td>
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<tr>
<td>(gm) Administration of tax on controlled substances dealers</td>
<td>PR</td>
<td>A</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(h) Debt collection</td>
<td>PR</td>
<td>A</td>
<td>441,300</td>
<td>448,400</td>
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<tr>
<td>(ha) Administration of liquor tax</td>
<td>PR</td>
<td>A</td>
<td>246,900</td>
<td>250,500</td>
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<tr>
<td>(hm) Collections under contracts</td>
<td>PR</td>
<td>S</td>
<td>354,200</td>
<td>354,200</td>
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<tr>
<td>(hn) Collections under the multi-state tax commission audit program</td>
<td>PR-S</td>
<td>S</td>
<td>57,400</td>
<td>57,400</td>
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<tr>
<td>(hp) Admin of endang resources; football/baseball district voluntary payments</td>
<td>PR</td>
<td>A</td>
<td>35,600</td>
<td>35,600</td>
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<tr>
<td>(i) Gifts and grants</td>
<td>PR</td>
<td>C</td>
<td>−0−</td>
<td>−0−</td>
</tr>
<tr>
<td>(m) Federal funds; state operations</td>
<td>PR-F</td>
<td>C</td>
<td>−0−</td>
<td>−0−</td>
</tr>
<tr>
<td>(q) Recycling surcharge administration</td>
<td>SEG</td>
<td>A</td>
<td>253,100</td>
<td>254,000</td>
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<tr>
<td>(qm) Administration of rental vehicle fee</td>
<td>SEG</td>
<td>A</td>
<td>34,500</td>
<td>35,600</td>
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<tr>
<td>(r) Administration of dry cleaner fees</td>
<td>SEG</td>
<td>A</td>
<td>53,200</td>
<td>53,200</td>
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<tr>
<td>(s) Petroleum inspection fee collection</td>
<td>SEG</td>
<td>A</td>
<td>161,600</td>
<td>163,600</td>
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<tr>
<td>(u) Motor fuel tax administration</td>
<td>SEG</td>
<td>A</td>
<td>1,328,400</td>
<td>1,343,200</td>
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(1) PROGRAM TOTALS

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<td>GENERAL PURPOSE REVENUES</td>
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<td>PROGRAM REVENUE</td>
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<td>FEDERAL</td>
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<td>(−0−)</td>
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<tr>
<td>OTHER</td>
<td>(6,936,300)</td>
<td>(6,962,000)</td>
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<tr>
<td>SERVICE</td>
<td>(57,400)</td>
<td>(57,400)</td>
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<tr>
<td>SEGREGATED FUNDS</td>
<td>1,830,800</td>
<td>1,849,600</td>
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### Statute, Agency and Purpose

<table>
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<th>Source</th>
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<th>2004-05</th>
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<tbody>
<tr>
<td>OTHER</td>
<td></td>
<td></td>
<td>(1,830,800)</td>
<td>(1,849,600)</td>
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<tr>
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<td></td>
<td>53,255,700</td>
<td>53,300,200</td>
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</tbody>
</table>

1. **State and Local Finance**

2. (a) General program operations | GPR | A | 6,334,600 | 6,334,600 |

3. (am) Lottery and gaming credit administration | GPR | A | -0- | -0- |

4. (g) County assessment studies | PR | C | -0- | -0- |

5. (gi) Municipal finance report compliance | PR | A | 40,300 | 40,300 |

6. (h) Reassessments | PR | A | 635,500 | 635,500 |

7. (hi) Wisconsin property assessment manual | PR | A | 100,000 | 103,200 |

8. (i) Gifts and grants | PR | C | -0- | -0- |

9. (m) Federal funds; state operations | PR-F | C | -0- | -0- |

10. (q) Railroad and air carrier tax administration | SEG | A | 210,800 | 210,800 |

11. (r) Lottery credit administration | SEG | A | 274,300 | 276,300 |

#### (2) Program Totals

<table>
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<th>Description</th>
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<th>2004-05</th>
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<td>6,334,600</td>
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<tr>
<td>Program Revenue</td>
<td>775,800</td>
<td>779,000</td>
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<tr>
<td>Federal</td>
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<td>-0-</td>
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<tr>
<td>Other</td>
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<td>779,000</td>
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<tr>
<td>Segregated Funds</td>
<td>485,100</td>
<td>487,100</td>
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<tr>
<td>Other</td>
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<td>487,100</td>
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<td>Total--All Sources</td>
<td>7,595,500</td>
<td>7,600,700</td>
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12. **Administrative Services and Space Rental**

13. (a) General program operations | GPR | A | 24,339,400 | 24,339,400 |
### STATUTE, AGENCY AND PURPOSE

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<th>Source</th>
<th>Type</th>
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<td>1</td>
<td>(b) Integrated tax system technology</td>
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<td>(c) Expert professional services</td>
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<td>3</td>
<td>(g) Services</td>
<td>PR</td>
<td>A</td>
<td>98,300</td>
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<td>4</td>
<td>(gm) Reciprocity agreement and publications</td>
<td>PR</td>
<td>A</td>
<td>201,200</td>
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<tr>
<td>5</td>
<td>(go) Reciprocity agreement; Illinois</td>
<td>PR</td>
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<td>6</td>
<td>(i) Gifts and grants</td>
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<td>7</td>
<td>(k) Internal services</td>
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#### (3) PROGRAM TOTALS

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<tr>
<td>OTHER</td>
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<td>(299,500)</td>
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<tr>
<td>SERVICE</td>
<td>(299,300)</td>
<td>(299,300)</td>
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#### (7) PROGRAM TOTALS

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<tr>
<td>FEDERAL</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>OTHER</td>
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<tr>
<td>SEGREGATED FUNDS</td>
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### Senate Bill 44

#### Statute, Agency and Purpose

<table>
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<td>(-0-)</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
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<td>-0-</td>
<td>-0-</td>
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<td>1 (8) LOTTERY</td>
<td>SEG</td>
<td>A</td>
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<td>2 (q) General program operations</td>
<td>SEG</td>
<td>A</td>
<td>21,940,500</td>
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<td>3 (r) Retailer compensation</td>
<td>SEG</td>
<td>S</td>
<td>29,387,700</td>
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<td>4 (s) Prizes</td>
<td>SEG</td>
<td>S</td>
<td>-0-</td>
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<tr>
<td>5 (v) Vendor fees</td>
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<td>S</td>
<td>12,814,500</td>
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</table>

#### Program Totals

| SEGREGATED FUNDS | 64,142,700 | 64,254,900 |
| OTHER | (64,142,700) | (64,254,900) |
| TOTAL-ALL SOURCES | 64,142,700 | 64,254,900 |

#### Department Totals

| GENERAL PURPOSE REVENUES | 79,855,300 | 79,855,300 |
| PROGRAM REVENUE | 8,368,300 | 8,397,200 |
| FEDERAL | (-0-) | (-0-) |
| OTHER | (8,011,600) | (8,040,500) |
| SERVICE | (356,700) | (356,700) |
| SEGREGATED FUNDS | 66,458,600 | 66,591,600 |
| OTHER | (66,458,600) | (66,591,600) |
| TOTAL-ALL SOURCES | 154,682,200 | 154,844,100 |

### 20.565 Secretary of state

#### Managing and Operating Program Responsibilities

| (g) Program fees | PR | A | 747,300 | 748,000 |
| (ka) Agency collections | PR-S | A | 4,000 | 4,000 |

#### Department Totals

| PROGRAM REVENUE | 751,300 | 752,000 |
| OTHER | (747,300) | (748,000) |
| SERVICE | (4,000) | (4,000) |
| TOTAL-ALL SOURCES | 751,300 | 752,000 |

### 20.575 Treasurer, state

#### Custodian of State Funds
## SENATE BILL 44

<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>Type</th>
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<th>2004-05</th>
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<tr>
<td>(b) Insurance</td>
<td>GPR</td>
<td>A</td>
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<td>-0-</td>
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<tr>
<td>(e) Unclaimed property; contingency</td>
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<tr>
<td>(g) Processing services</td>
<td>PR</td>
<td>A</td>
<td>226,400</td>
<td>202,800</td>
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<td>(h) Training conferences</td>
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(1) PROGRAM TOTALS

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<td>OTHER</td>
<td>(1,667,100)</td>
<td>(1,603,500)</td>
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<td>SERVICE</td>
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<td>TOTAL—ALL SOURCES</td>
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(2) COLLEGE TUITION PREPAYMENT PROGRAM

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<td>(q) Pymt of qualified higher ed expenses &amp; refunds; college tuition &amp; exp pgm</td>
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Statute, Agency and Purpose

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(2) Program Totals

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20.585 Department Totals

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<tr>
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General Executive Functions

Functional Area Totals

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Judicial

1 20.625 Circuit courts

2 (1) Court Operations

3 (a) Circuit courts  GPR  S  54,386,400  54,386,400

4 (as) Violent crime court costs  GPR  A  −0−  −0−

5 (b) Permanent reserve judges  GPR  A  −0−  −0−

6 (c) Court interpreter fees  GPR  A  952,000  1,160,300

7 (d) Circuit court support payments  GPR  B  18,739,600  18,739,600
STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2003-04 | 2004-05 |
---|---|---|---|---|
1 | (e) Guardian ad litem costs | GPR | A | 4,738,500 | 4,738,500 |
2 | (m) Federal aid | PR-F | C | -0- | -0- |

(1) PROGRAM TOTALS
GENERAL PURPOSE REVENUES | 78,816,500 | 79,024,800 |
PROGRAM REVENUE | -0- | -0- |
FEDERAL | (-0-) | (-0-) |
TOTAL-ALL SOURCES | 78,816,500 | 79,024,800 |

3 | (3) Child custody hearings and studies in other states |
4 | (a) General program operations | GPR | S | -0- | -0- |

(3) PROGRAM TOTALS
GENERAL PURPOSE REVENUES | -0- | -0- |
TOTAL-ALL SOURCES | -0- | -0- |

20.625 DEPARTMENT TOTALS
GENERAL PURPOSE REVENUES | 78,816,500 | 79,024,800 |
PROGRAM REVENUE | -0- | -0- |
FEDERAL | (-0-) | (-0-) |
TOTAL-ALL SOURCES | 78,816,500 | 79,024,800 |

5 | 20.660 Court of appeals |
6 | (1) Appellate proceedings |
7 | (a) General program operations | GPR | S | 8,234,900 | 8,234,900 |
8 | (m) Federal aid | PR-F | C | -0- | -0- |

20.660 DEPARTMENT TOTALS
GENERAL PURPOSE REVENUES | 8,234,900 | 8,234,900 |
PROGRAM REVENUE | -0- | -0- |
FEDERAL | (-0-) | (-0-) |
TOTAL-ALL SOURCES | 8,234,900 | 8,234,900 |

9 | 20.665 Judicial commission |
10 | (1) Judicial conduct |
11 | (a) General program operations | GPR | A | 187,300 | 187,300 |
12 | (cm) Contractual agreements | GPR | B | 18,200 | 18,200 |
### Statute, Agency and Purpose

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#### 20.665 Department Totals

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### 20.680 Supreme Court

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<td>4,270,500</td>
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#### (1) Program Totals

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<tr>
<td>Program Revenue</td>
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<td>-0-</td>
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<tr>
<td>Federal</td>
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<td>(-0-)</td>
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### (2) Director of State Courts

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<td>(a)</td>
<td>GPR</td>
<td>5,609,100</td>
<td>5,609,100</td>
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<tr>
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<td>(b) Judicial planning and research</td>
<td>GPR</td>
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<td>(g) Gifts and grants</td>
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<td>12</td>
<td>(ga) Court commissioner training</td>
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<td>58,300</td>
<td>58,300</td>
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<tr>
<td>13</td>
<td>(gc) Court interpreter training and certification</td>
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<td>23,400</td>
<td>17,600</td>
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<td>15</td>
<td>(h) Materials and services</td>
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<td>16</td>
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### Statute, Agency and Purpose

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<td>2</td>
<td>(ke) Interagency and intra-agency automation assistance</td>
<td>PR−S</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<td>3</td>
<td>(m) Federal aid</td>
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<td>400,600</td>
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<td>4</td>
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#### (2) Program Totals

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#### (3) Bar Examiners and Responsibility

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#### (3) Program Totals

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#### (4) Law Library

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#### (4) Program Totals

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### Statute, Agency and Purpose

#### Source Type 2003-04 2004-05

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<td>Other</td>
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<td>Segregated Funds</td>
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<tr>
<td>Other</td>
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<td>Total—all Sources</td>
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### Judicial

#### Functional Area Totals

| General Purpose Revenues | 99,092,800 | 99,301,100 |
| Program Revenue          | 12,278,500 | 12,272,700 |
| Federal                  | (400,600)  | (400,600)  |
| Other                    | (11,677,700)| (11,671,900)|
| Service                  | (200,200)  | (200,200)  |
| Segregated Funds         | 714,900    | 714,900    |
| Total—all Sources        | 112,086,200| 112,288,700|

### Legislative

1. **20.765 Legislature**

2. **Enactment of State Laws**

3. **General program operations**

4. Assembly: GPR S -0- -0-

5. **General program operations**

6. Senate: GPR S -0- -0-

7. **Legislative documents**

8. **Special study groups**

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<tr>
<td>Statute, Agency and Purpose</td>
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<td>(a) Retirement committees</td>
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<td>(ab) Retirement actuarial studies</td>
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(2) Program Totals

General Purpose Revenues: -0- -0-
Total—All Sources: -0- -0-

(3) Service Agencies and National Associations

4. (a) Revisor of statutes bureau | GPR B  |      | -0-     | -0-     |
5. (b) Legislative reference bureau | GPR B  |      | -0-     | -0-     |
6. (c) Legislative audit bureau | GPR B  |      | -0-     | -0-     |
7. (d) Legislative fiscal bureau | GPR B  |      | -0-     | -0-     |
8. (e) Legislative council | GPR B  |      | -0-     | -0-     |
9. (em) Legislative technology services bureau | GPR B  |      | -0-     | -0-     |
11. (f) Joint committee on legislative organization | GPR B  |      | -0-     | -0-     |
13. (fa) Membership in national associations | GPR S  |      | -0-     | -0-     |
15. (g) Gifts and grants to service agencies | PR C   |      | -0-     | -0-     |
16. (ka) Audit bureau reimbursable audits | PR-S A |      | 1,661,800 | 1,669,700 |
17. (m) Federal aid | PR-F C |      | -0-     | -0-     |

(3) Program Totals

General Purpose Revenues: -0- -0-
Program Revenue: 1,661,800 1,669,700
Federal: (-0-) (-0-)
Other: (-0-) (-0-)
Service: (1,661,800) (1,669,700)
Total—All Sources: 1,661,800 1,669,700
### Senate Bill 44

#### Statute, Agency and Purpose

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</table>

#### Legislative Operations

- **(5) Legislative operations costs**
  - General purpose revenues: $54,934,900
  - Program revenue: $1,661,800
  - Federal: $0
  - Other: $0
  - Service: $1,661,800
  - Total-all sources: $56,596,700

#### Budgetary Summary

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<tr>
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<th>Type</th>
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<tr>
<td>(5) Program Totals</td>
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<td>General purpose revenues</td>
<td></td>
<td>$54,934,900</td>
<td>$54,938,500</td>
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<td>Program revenue</td>
<td></td>
<td>$1,661,800</td>
<td>$1,669,700</td>
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<tr>
<td>Federal</td>
<td></td>
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<td>$0</td>
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<tr>
<td>Other</td>
<td></td>
<td>$0</td>
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<tr>
<td>Service</td>
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<td>$1,669,700</td>
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<tr>
<td><strong>Total-all sources</strong></td>
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<td><strong>$56,596,700</strong></td>
<td><strong>$56,608,200</strong></td>
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### General Appropriations

#### 20.835 Shared revenue and tax relief

- **(1) Shared revenue payments**
  - **(b) Small municipalities shared**
    - Revenue: $11,221,100
  - **(c) Expenditure restraint program**
    - Account: $58,145,700
  - **(d) Shared revenue account**
    - Account: $709,162,000
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<td>(f) County mandate relief account</td>
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<td>21,181,100</td>
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<td>(t) Shared revenue and county and municipal aid; transportation fund</td>
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<td>(u) County and municipal aid; utility public benefits fund</td>
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(1) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 871,689,900 | 799,702,900 |
| SEgregated FUNDS | 230,000,000 | 190,000,000 |
| OTHER | (230,000,000) | (190,000,000) |
| TOTAL ALL SOURCES | 1,101,689,900 | 989,702,900 |

(2) TAX RELIEF

| (b) Claim of right credit | GPR  | S    | −0−     | −0− |
| (c) Homestead tax credit | GPR  | S    | 103,000,000 | 100,000,000 |
| (ci) Development zones investment credit | GPR  | S    | −0−     | −0− |
| (cL) Development zones location credit | GPR  | S    | −0−     | −0− |
| (cm) Development zones jobs credit | GPR  | S    | −0−     | −0− |
| (cn) Development zones sales tax credit | GPR  | S    | −0−     | −0− |
| (d) Farmers’ drought property tax credit | GPR  | S    | −0−     | −0− |
| (dm) Farmland preservation credit | GPR  | S    | 13,500,000 | 13,900,000 |
| (dn) Farmland tax relief credit | GPR  | S    | −0−     | −0− |
### Statute, Agency and Purpose

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<td></td>
<td>Cigarette and tobacco product tax refunds</td>
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<td>2</td>
<td>(f)</td>
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<td>$12,708,000</td>
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<td>3</td>
<td>(ka)</td>
<td>PR-S</td>
<td>-0-</td>
<td>-0-</td>
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<td></td>
<td>Farmland tax relief credit; Indian gaming receipts</td>
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<td>4</td>
<td>(kf)</td>
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<td>Earned income tax credit; temporary assistance for needy families</td>
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<td>5</td>
<td>(q)</td>
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<td>$15,000,000</td>
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<td>Farmland tax relief credit</td>
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<td>6</td>
<td>(r)</td>
<td>SEG</td>
<td>-0-</td>
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#### (2) Program Totals

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#### (3) State Property Tax Credits

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<td>$469,305,000</td>
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<td>School levy tax credit</td>
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<td>14</td>
<td>(q)</td>
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<td></td>
<td>Lottery and gaming credit</td>
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<td>15</td>
<td>(r)</td>
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<td>Lottery and gaming certification</td>
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<td>16</td>
<td>(s)</td>
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#### (3) Program Totals

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<td>469,305,000</td>
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<td>Segregated Funds</td>
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<tr>
<td>OTHER</td>
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<td>(102,050,000)</td>
<td>(101,150,000)</td>
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<td>571,355,000</td>
<td>570,455,000</td>
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1 (4) **County and Local Taxes**

2 (g) County taxes

3 (gb) Special district taxes

4 (gd) Premier resort area tax

5 (ge) Local professional football stadium district taxes

7 (gg) Local taxes

#### 4 Program Totals

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<tr>
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<td>(-0-)</td>
</tr>
<tr>
<td>TOTAL—ALL SOURCES</td>
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8 (5) **Payments in Lieu of Taxes**

9 (a) Payments for municipal services

#### 5 Program Totals

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<tr>
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<td>21,998,800</td>
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#### 20.835 Department Totals

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<td>1,503,901,700</td>
<td>1,429,337,900</td>
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<td>PROGRAM REVENUE</td>
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<tr>
<td>SERVICE</td>
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<td>(-0-)</td>
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<td>1,792,887,900</td>
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10 **20.855 Miscellaneous Appropriations**

11 (1) **Cash Management Expenses; Interest and Principal Repayment**

12 (a) Obligation on operating notes

13 (a) Obligation on operating notes
### Section 286

#### Statute, Agency and Purpose

<table>
<thead>
<tr>
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<th>2004-05</th>
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<td>1</td>
<td>(b) Operating note expenses</td>
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<td>(bm) Payment of cancelled drafts</td>
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<td>3</td>
<td>(c) Interest payments to program revenue accounts</td>
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<td>4</td>
<td>(d) Interest payments to segregated funds</td>
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<td>5</td>
<td>(dm) Interest reimbursements to federal government</td>
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<td>6</td>
<td>(e) Interest on prorated local government payments</td>
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<td>7</td>
<td>(gm) Payment of cancelled drafts; program revenues</td>
<td>PR</td>
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<td>8</td>
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<td>9</td>
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<td>10</td>
<td>(rm) Payment of cancelled drafts; segregated revenues</td>
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### Program Totals

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<td>19,225,000</td>
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<td>-0-</td>
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<td>-0-</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
<td>11,625,000</td>
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#### (3) Capitol Renovation Expenses

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<td>18</td>
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<td>(3) Program Totals</td>
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<td>General Purpose Revenues</td>
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<td>-0-</td>
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<td>Total—All Sources</td>
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<td>1  (4) Tax, Assistance and Transfer Payments</td>
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<td>4  contribution</td>
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<td>8  bench mark</td>
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<td>1 (rh) Annual transfer from permanent endowment fund to general fund</td>
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(4) Program Totals

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(5) State Housing Authority Reserve Fund

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(5) Program Totals

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(6) Miscellaneous Receipts

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<td>Custody accounts</td>
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<td>Aids to individuals and organizations</td>
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### SENATE BILL 44

<table>
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#### (6) PROGRAM TOTALS

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#### (8) MARQUETTE UNIVERSITY

4. **(8)** Marquette University

5. (a) Dental clinic and educ facility;

6. principal repayment, interest & rebates

7. **GPR S** 973,100 974,800

#### (8) PROGRAM TOTALS

<table>
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#### (9) STATE CAPITOL RENOVATION AND RESTORATION

8. **(9)** State Capitol renovation and restoration

9. (a) South wing renovation and restoration

10. **GPR C** -0- -0- 

#### (9) PROGRAM TOTALS

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#### 20.855 DEPARTMENT TOTALS

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**SENATE BILL 44**

**20.865 Program supplements**

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<td>(j) Employer fringe benefit costs; program revenues</td>
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### (1) PROGRAM TOTALS

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<td>(-0-)</td>
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<tr>
<td>OTHER</td>
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<td>(-0-)</td>
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<tr>
<td>SEGREGATED FUNDS</td>
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<td>(-0-)</td>
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### (2) STATE PROGRAMS AND FACILITIES

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<td>1,832,800</td>
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<tr>
<td>(am) Space management and child care</td>
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### Statute, Agency and Purpose

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<td>-0-</td>
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<tr>
<td>(j) State deposit fund; program revenues</td>
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<tr>
<td>(L) Data processing and telecommunications study; program revenues</td>
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<td>(q) Private facility rental increases and state-owned office rent supp; seg rev</td>
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<tr>
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#### Program Totals

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<tr>
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<tr>
<td>Service</td>
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<td>Segregated Funds</td>
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#### Taxes and Special Charges

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2003 – 2004 Legislature

SENATE BILL 44

SECTION 286

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<th>2004-05</th>
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<tr>
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(3) PROGRAM TOTALS

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(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS

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### 2003 - 2004 Legislature

**SENATE BILL 44**

#### Statute, Agency and Purpose

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<tr>
<td>Other</td>
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<td>Service</td>
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<td>(-0-)</td>
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1. (8) Supplementation of program revenue and program rev.-service appropriations

2. (g) Supplementation of program revenue and program rev.-service appropriations

3. Appropriations

4. PR S

5. -0- -0- | -0- -0- | -0- -0- |

#### (8) Program Totals

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<td>Other</td>
<td>(-0-)</td>
<td>(-0-)</td>
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</tr>
<tr>
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20.865 Department Totals

<table>
<thead>
<tr>
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<th>2004-05</th>
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<tr>
<td>General Purpose Revenues</td>
<td>9,303,500</td>
<td>9,271,700</td>
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</tr>
<tr>
<td>Program Revenue</td>
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<td>-0-</td>
<td></td>
</tr>
<tr>
<td>Federal</td>
<td>(-0-)</td>
<td>(-0-)</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>(-0-)</td>
<td>(-0-)</td>
<td></td>
</tr>
<tr>
<td>Service</td>
<td>(-0-)</td>
<td>(-0-)</td>
<td></td>
</tr>
<tr>
<td>Segregated Funds</td>
<td>-0-</td>
<td>-0-</td>
<td></td>
</tr>
<tr>
<td>Federal</td>
<td>(-0-)</td>
<td>(-0-)</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>(-0-)</td>
<td>(-0-)</td>
<td></td>
</tr>
<tr>
<td>Total—all Sources</td>
<td>9,303,500</td>
<td>9,271,700</td>
<td></td>
</tr>
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</table>

5. **20.866 Public debt**

6. (1) Bond security and redemption fund

7. (u) Principal repayment and interest

8. SEG S

9. -0- -0- | -0- -0- | -0- -0- |

20.866 Department Totals

<table>
<thead>
<tr>
<th>Segment</th>
<th>Type</th>
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<th>2004-05</th>
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<tr>
<td>Segregated Funds</td>
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<td></td>
</tr>
<tr>
<td>Other</td>
<td>(-0-)</td>
<td>(-0-)</td>
<td></td>
</tr>
<tr>
<td>Total—all Sources</td>
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<td>-0-</td>
<td></td>
</tr>
<tr>
<td>STATUTE, AGENCY AND PURPOSE</td>
<td>SOURCE</td>
<td>TYPE</td>
<td>2003-04</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>--------</td>
<td>------</td>
<td>---------</td>
</tr>
<tr>
<td>20.867 Building commission</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>(1) State office buildings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>(a) Principal repayment and interest;</td>
<td>GPR</td>
<td>S</td>
</tr>
<tr>
<td>3</td>
<td>housing of state agencies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>(b) Principal repayment and interest;</td>
<td>GPR</td>
<td>S</td>
</tr>
<tr>
<td>5</td>
<td>capitol and executive residence</td>
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</table>

(1) PROGRAM TOTALS

<table>
<thead>
<tr>
<th></th>
<th>GENERAL PURPOSE REVENUES</th>
<th>TOTAL-ALL SOURCES</th>
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<tr>
<td></td>
<td>12,362,900</td>
<td>15,407,200</td>
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(2) PROGRAM TOTALS

<table>
<thead>
<tr>
<th></th>
<th>GENERAL PURPOSE REVENUES</th>
<th>SEGREGATED FUNDS</th>
<th>OTHER</th>
<th>TOTAL-ALL SOURCES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>-0-</td>
<td>-0-</td>
<td>-0-</td>
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(3) State building program

<table>
<thead>
<tr>
<th></th>
<th>GPR</th>
<th>S</th>
<th>19,684,600</th>
<th>37,202,900</th>
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<tbody>
<tr>
<td>(a) Principal repayment and interest</td>
<td></td>
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<td></td>
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</table>
**SENATE BILL 44**

<table>
<thead>
<tr>
<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
<th>TYPE</th>
<th>2003-04</th>
<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) Principal repayment and interest</td>
<td>GPR</td>
<td>S</td>
<td>1,864,000</td>
<td>2,865,400</td>
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<tr>
<td>(bm) Principal repayment, interest, and rebates; HR academy, inc.</td>
<td>GPR</td>
<td>S</td>
<td>126,700</td>
<td>126,700</td>
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<tr>
<td>(bp) Principal repayment, interest and rebates</td>
<td>GPR</td>
<td>S</td>
<td>56,300</td>
<td>84,500</td>
</tr>
<tr>
<td>(br) Principal repayment, interest and rebates</td>
<td>GPR</td>
<td>S</td>
<td>79,900</td>
<td>80,400</td>
</tr>
<tr>
<td>(bt) Principal repayment, interest, and rebates; discovery place museum</td>
<td>GPR</td>
<td>S</td>
<td>56,300</td>
<td>84,500</td>
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<tr>
<td>(c) Lease rental payments</td>
<td>GPR</td>
<td>S</td>
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<td>−0−</td>
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<tr>
<td>(d) Interest rebates on obligation proceeds; general fund</td>
<td>GPR</td>
<td>S</td>
<td>−0−</td>
<td>−0−</td>
</tr>
<tr>
<td>(e) Principal repayment, interest and rebates; parking ramp</td>
<td>GPR</td>
<td>S</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(g) Principal repayment, interest and rebates; program revenues</td>
<td>PR</td>
<td>S</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(h) Principal repayment, interest and rebates</td>
<td>PR</td>
<td>S</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>(i) Principal repayment, interest and rebates; capital equipment</td>
<td>PR</td>
<td>S</td>
<td>145,300</td>
<td>191,200</td>
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<tr>
<td>(k) Interest rebates on obligation proceeds; program revenues</td>
<td>PR-S</td>
<td>C</td>
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<td>−0−</td>
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<tr>
<td>(q) Principal repayment and interest; segregated revenues</td>
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<td>S</td>
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## Statute, Agency and Purpose

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<tbody>
<tr>
<td>(r)</td>
<td>Interest rebates on obligation</td>
<td>SEG</td>
<td>S</td>
</tr>
<tr>
<td>(s)</td>
<td>Interest rebates on obligation</td>
<td>SEG</td>
<td>S</td>
</tr>
<tr>
<td>(t)</td>
<td>Interest rebates on obligation</td>
<td>SEG</td>
<td>S</td>
</tr>
<tr>
<td>(w)</td>
<td>Bonding services</td>
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<td>S</td>
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### (3) Program Totals

<table>
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<th>2004-05</th>
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<tr>
<td>GENERAL PURPOSE REVENUES</td>
<td></td>
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<td>PROGRAM REVENUE</td>
<td></td>
<td>145,300</td>
<td>191,200</td>
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<tr>
<td>OTHER</td>
<td></td>
<td>(145,300)</td>
<td>(191,200)</td>
</tr>
<tr>
<td>SERVICE</td>
<td></td>
<td>(−0--</td>
<td>(−0--</td>
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<tr>
<td>SEGREGATED FUNDS</td>
<td></td>
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<td>1,024,200</td>
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<td>OTHER</td>
<td></td>
<td>(1,024,200)</td>
<td>(1,024,200)</td>
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<tr>
<td>TOTAL--ALL SOURCES</td>
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<td>23,037,300</td>
<td>41,659,800</td>
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### (4) Program Totals

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<tr>
<td>SECTOR FUNDS</td>
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<td>OTHER</td>
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<td>(-0--)</td>
</tr>
<tr>
<td>TOTAL--ALL SOURCES</td>
<td></td>
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### (5) Services to Nonstate Governmental Units

<table>
<thead>
<tr>
<th>Source</th>
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<th>2003-04</th>
<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>(g)</td>
<td>Financial consulting services</td>
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### (5) Program Totals

<table>
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<tr>
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<th>Type</th>
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<th>2004-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROGRAM REVENUE</td>
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<td>-0--</td>
</tr>
<tr>
<td>OTHER</td>
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<tr>
<td>TOTAL--ALL SOURCES</td>
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### 20.867 Department Totals

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<th>2004-05</th>
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</thead>
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<td>GENERAL PURPOSE REVENUES</td>
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<td>34,230,700</td>
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<td>PROGRAM REVENUE</td>
<td></td>
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<td>191,200</td>
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<tr>
<td>OTHER</td>
<td></td>
<td>(145,300)</td>
<td>(191,200)</td>
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</table>
20.875 Budget stabilization fund

1. **Transfers to Fund**

2. **Transfers from Fund**

5. **Budget stabilization fund transfer**

### General Appropriations

**FUNCTIONAL AREA TOTALS**

<table>
<thead>
<tr>
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<tr>
<td>GENERAL PURPOSE REVENUE</td>
<td>1,658,316,700</td>
<td>1,622,174,600</td>
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<td>PROGRAM REVENUE</td>
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<td>FEDERAL</td>
<td>(−0−)</td>
<td>(−0−)</td>
</tr>
<tr>
<td>OTHER</td>
<td>(145,300)</td>
<td>(191,200)</td>
</tr>
<tr>
<td>SERVICE</td>
<td>(57,892,000)</td>
<td>(50,300,000)</td>
</tr>
<tr>
<td>SEGREGATED FUNDS</td>
<td>367,152,900</td>
<td>334,115,600</td>
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<tr>
<td>FEDERAL</td>
<td>(−0−)</td>
<td>(−0−)</td>
</tr>
<tr>
<td>OTHER</td>
<td>(367,152,900)</td>
<td>(334,115,600)</td>
</tr>
<tr>
<td>SERVICE</td>
<td>(−0−)</td>
<td>(−0−)</td>
</tr>
<tr>
<td>LOCAL</td>
<td>(−0−)</td>
<td>(−0−)</td>
</tr>
<tr>
<td>TOTAL−ALL SOURCES</td>
<td>2,083,506,900</td>
<td>2,006,781,400</td>
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**STATE TOTAL**

<table>
<thead>
<tr>
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<th>2004-05</th>
</tr>
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<tbody>
<tr>
<td>GENERAL PURPOSE REVENUE</td>
<td>10,783,708,900</td>
<td>11,678,898,200</td>
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<tr>
<td>PROGRAM REVENUE</td>
<td>8,750,840,100</td>
<td>8,942,806,700</td>
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</table>
SECTION 286. 20.115 (1) (hm) of the statutes is amended to read:

20.115 (1) (hm) Ozone-depleting refrigerants and products regulation. The amounts in the schedule for administration of the mobile air conditioner servicing and refrigerant recycling programs and for responsibilities under ss. s. 100.45 and 100.50 relating to sales and labeling of products containing or made with ozone-depleting substances. All moneys received from fees under s. 100.45 (5) (a) 3. and (5m) shall be credited to this appropriation.

SECTION 288. 20.115 (2) (j) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

20.115 (2) (j) Dog licenses, rabies control, and related services. All moneys received under ss. 95.21 (9) (c), 173.27, 173.40, and 174.09 (1), to provide dog license tags and forms under s. 174.07 (2), to perform other program responsibilities under ch. 174, to administer the rabies control program under s. 95.21, to help administer the rabies control media campaign, and to carry out activities under s. 93.07 (11) and ch. 173.

SECTION 289. 20.115 (7) (v) of the statutes is repealed.

SECTION 290. 20.115 (7) (va) of the statutes is created to read:

20.115 (7) (va) Chemical and container disposal. From the recycling fund, the amounts in the schedule for chemical and container collection grants under s. 93.55.
SECTION 291. 20.115 (8) (jm) of the statutes is repealed.

SECTION 292. 20.143 (1) (br) of the statutes is repealed.

SECTION 293. 20.143 (1) (ie) of the statutes is amended to read:

20.143 (1) (ie) Wisconsin development fund, repayments. All moneys received in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.147, s. 560.16, 1995 stats., s. 560.165, 1993 stats., subch. V of ch. 560 except s. 560.65, 1989 Wisconsin Act 336, section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m), 1989 Wisconsin Act 336, section 3015 (3gx), 1997 Wisconsin Act 27, section 9110 (7f), 1997 Wisconsin Act 310, section 2 (2d), and 1999 Wisconsin Act 9, section 9110 (4), to be used for grants and loans under subch. V of ch. 560 except s. 560.65, for loans under s. 560.147, for grants under ss. 560.16, and 560.175, and 560.25, for assistance under s. 560.06 (2), for the loan under 1999 Wisconsin Act 9, section 9110 (4), for the grant under 2001 Wisconsin Act 16, section 9110 (7g), and for reimbursements under s. 560.167. No moneys may be encumbered under this paragraph for grants under s. 560.25 after June 30, 2003.

SECTION 294. 20.143 (1) (ko) of the statutes is repealed.

SECTION 295. 20.143 (1) (qa) of the statutes is repealed.

SECTION 296. 20.143 (1) (qm) of the statutes is repealed.

SECTION 297. 20.143 (1) (t) of the statutes is repealed.

SECTION 298. 20.144 (1) (g) of the statutes is amended to read:

20.144 (1) (g) General program operations. The amounts in the schedule for the general program operations of the department of financial institutions. Except as provided in pars. (a), (h), (i), and (u), all moneys received by the department, other than by the office of credit unions, and the division of banking and the division of savings institutions, and 88% of all moneys received by the department’s division of
banking and the department's division of savings institutions shall be credited to this appropriation, but any balance at the close of a fiscal year under this appropriation shall lapse to the general fund. Annually, $200,000 of the amounts received under this appropriation account shall be transferred to the appropriation account under s. 20.575 (1) (g).

SECTION 299. 20.145 (2) (a) of the statutes is created to read:

20.145 (2) (a) Claims payable by patients compensation fund. A sum sufficient for paying any portion of a claim for damages arising out of the rendering of health care services that the patients compensation fund under s. 655.27 is required to pay under ch. 655 but that the patients compensation fund is unable to pay because of insufficient moneys.

SECTION 300. 20.155 (intro.) of the statutes is amended to read:

20.155 (intro.) Public service commission. (intro.) There is appropriated to the public service commission for the following programs:

SECTION 301. 20.155 (2) of the statutes is repealed.

SECTION 302. 20.215 (1) (fm) of the statutes is repealed.

SECTION 303. 20.225 (1) (g) of the statutes is amended to read:

20.225 (1) (g) Gifts, grants, contracts and leases, instructional material, and copyrights. Except as provided in par. (i), all moneys received from gifts, grants, contracts and the lease of excess capacity, the sale of instructional material under s. 39.11 (16), and the use of copyrights under s. 39.115 (1), to carry out the purposes for which received.

SECTION 304. 20.225 (1) (h) of the statutes is repealed.

SECTION 305. 20.225 (1) (kb) of the statutes is amended to read:
20.225 (1) (kb) Emergency weather warning system operation. From the moneys received by the department of electronic government administration for the provision of state telecommunications to state agencies, the amounts in the schedule for the operation of the emergency weather warning system under s. 39.11 (21).

SECTION 306. 20.235 (intro.) of the statutes is repealed.

SECTION 307. 20.235 (1) (title) of the statutes is renumbered 20.285 (7) (title) and amended to read:

20.285 (7) (title) STUDENT SUPPORT ACTIVITIES HIGHER EDUCATIONAL AIDS.

SECTION 308. 20.235 (1) (b) of the statutes is renumbered 20.285 (7) (b).

SECTION 309. 20.235 (1) (cg) of the statutes is renumbered 20.285 (7) (cg).

SECTION 310. 20.235 (1) (cm) of the statutes is renumbered 20.285 (7) (cm).

SECTION 311. 20.235 (1) (cr) of the statutes is renumbered 20.285 (7) (cr).

SECTION 312. 20.235 (1) (cu) of the statutes is renumbered 20.285 (7) (cu).

SECTION 313. 20.235 (1) (cx) of the statutes is renumbered 20.285 (7) (cx).

SECTION 314. 20.235 (1) (d) of the statutes is amended to read:

20.235 (1) (d) Dental education contract. The amounts in the schedule for support of those Wisconsin residents enrolled as full-time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of $11,330 in the 1993−94 fiscal year and $11,670 in the 1994−95 fiscal year and annually thereafter shall be disbursed under s. 39.46 for each Wisconsin resident enrolled as a full-time student. The maximum number of Wisconsin residents to be funded under this appropriation is 160 in the 2001−02 fiscal year and thereafter.

SECTION 315. 20.235 (1) (d) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is renumbered 20.285 (7) (d).

SECTION 316. 20.235 (1) (e) of the statutes is renumbered 20.285 (7) (e).
SECTION 317. 20.235 (1) (fc) of the statutes is renumbered 20.285 (7) (fc).

SECTION 318. 20.235 (1) (fd) of the statutes is renumbered 20.285 (7) (fd).

SECTION 319. 20.235 (1) (fe) of the statutes, as affected by 2001 Wisconsin Act 109, is renumbered 20.285 (7) (fe).

SECTION 320. 20.235 (1) (ff) of the statutes is renumbered 20.285 (7) (ff).

SECTION 321. 20.235 (1) (fg) of the statutes is renumbered 20.285 (7) (fg).

SECTION 322. 20.235 (1) (fj) of the statutes is renumbered 20.285 (7) (fj).

SECTION 323. 20.235 (1) (fy) of the statutes is renumbered 20.285 (7) (fy).

SECTION 324. 20.235 (1) (g) of the statutes is renumbered 20.285 (7) (g) and amended to read:

20.285 (7) (g) Student loans. The amounts in the schedule for additional loans under s. 39.32, for repurchase of loans assigned, sold, or conveyed, and for repayment of advances by the investment board. All moneys received from the principal repaid on student loans made under s. 49.42, 1963 stats., and s. 39.32 other than principal repaid on loans assigned, sold, or conveyed, and all moneys received as an advance from the investment board, under s. 25.17 (3) (bf), 1977 stats., shall be credited to this appropriation. Moneys credited to the higher educational aids board Board of Regents of the University of Wisconsin System as a result of investments shall be considered under this appropriation as repayments. The amount of advances to the higher educational aids board Board of Regents of the University of Wisconsin System charged against the authorization under s. 25.17 (3) (bf), 1977 stats., shall be decreased by the amount of any repayments to the investment board under this appropriation. Advances repaid to the investment board shall be reappropriated to the higher educational aids board Board of Regents of the University of Wisconsin System for the purpose of providing additional loans subject to s. 25.17 (3) (bf) 2.,
SENATE BILL 44

1977 stats. Principal repayments on loans assigned, sold, or conveyed shall be repaid under this appropriation. The state auditor may annually audit the portfolio of student loans and notes thereon in the possession of the Board of Regents of the University of Wisconsin System and report his or her determination of the current condition of the student notes receivable portfolio to the investment board, the joint committee on finance, the higher educational aids board Board of Regents of the University of Wisconsin System, and the department of administration.

SECTION 325. 20.235 (1) (gg) of the statutes is renumbered 20.285 (7) (gg).

SECTION 326. 20.235 (1) (gm) of the statutes is renumbered 20.285 (7) (gm).

SECTION 327. 20.235 (1) (i) of the statutes is renumbered 20.285 (7) (i).

SECTION 328. 20.235 (1) (k) of the statutes is renumbered 20.285 (7) (k).

SECTION 329. 20.235 (1) (ke) of the statutes is created to read:

20.235 (1) (ke) Wisconsin higher education grants for University of Wisconsin System students; auxiliary enterprises. The amounts in the schedule for the Wisconsin higher education grant program under s. 39.435 for University of Wisconsin System students, except for grants awarded under s. 39.435 (2) or (5). All moneys transferred to this appropriation from the appropriation under s. 20.285 (1) (h) shall be credited to this appropriation account.

SECTION 330. 20.235 (1) (ke) of the statutes, as created by 2003 Wisconsin Act .... (this act), is renumbered 20.285 (7) (ke).

SECTION 331. 20.235 (1) (km) of the statutes is renumbered 20.285 (7) (km).

SECTION 332. 20.235 (1) (no) of the statutes is renumbered 20.285 (7) (no).

SECTION 333. 20.235 (1) (s) of the statutes is renumbered 20.285 (7) (s).

SECTION 334. 20.235 (1) (t) of the statutes is renumbered 20.285 (7) (t).
SECTION 335. 20.235 (2) (title) of the statutes is repealed.

SECTION 336. 20.235 (2) (aa) of the statutes is repealed.

SECTION 337. 20.235 (2) (bb) of the statutes is renumbered 20.285 (3) (bb) and amended to read:

20.285 (3) (bb) Student loan interest, loans sold or conveyed. A sum sufficient for interest on loans assigned, sold, or conveyed, if the amount under par. (gb) (ib) is insufficient to provide interest due on the payment date at the interest rate stated on the loan notes assigned, sold, or conveyed, interest to be computed on the unpaid principal balance of the loans, computed as of January 1 and July 1 of each year and payable within 90 days thereafter.

SECTION 338. 20.235 (2) (bc) of the statutes is renumbered 20.285 (3) (bc).

SECTION 339. 20.235 (2) (bd) of the statutes is renumbered 20.285 (3) (bd) and amended to read:

20.285 (3) (bd) Purchase of defective student loans. A sum sufficient for the repurchase of student loans made under s. 39.32 that have been sold by the higher educational aids board Board of Regents of the University of Wisconsin System or the building commission and subsequently found to be defective.

SECTION 340. 20.235 (2) (ga) of the statutes is renumbered 20.285 (3) (i).

SECTION 341. 20.235 (2) (gb) of the statutes is renumbered 20.285 (3) (ib).

SECTION 342. 20.235 (2) (ia) of the statutes is renumbered 20.285 (3) (ic).

SECTION 343. 20.235 (2) (ja) of the statutes is renumbered 20.285 (3) (id).

SECTION 344. 20.235 (2) (n) of the statutes is renumbered 20.285 (3) (nn) and amended to read:

20.285 (3) (nn) Federal aid; state operations. All moneys received from the federal government as authorized by the governor under s. 16.54 to carry out the
purpose for which made. The executive secretary of the board of Regents of
the University of Wisconsin System may transfer not more than $150,000 from this
appropriation for purposes of carrying out the functions under s. 39.33.

SECTION 345. 20.235 (2) (qa) of the statutes is renumbered 20.285 (3) (qa).

SECTION 346. 20.235 (2) (qb) of the statutes is renumbered 20.285 (3) (qb).

SECTION 347. 20.250 (1) (a) of the statutes is amended to read:

20.250 (1) (a) General program operations. The amounts in the schedule for
medical education, teaching, and research as provided under s. 39.155. From this
appropriation, an amount of $10,091 in the 1989–90 fiscal year and annually
thereafter shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as
a student in pursuit of a doctor of medicine (M.D.) degree who is paying full tuition.
The number of Wisconsin residents enrolled at the college in each academic year to
be funded under this appropriation shall be determined by multiplying the total
number of students enrolled at the college by 0.56, but may not exceed 416.

SECTION 348. 20.250 (1) (k) of the statutes is amended to read:

20.250 (1) (k) Tobacco-related illnesses. All moneys received from the tobacco
control board under s. 255.15 (3) (a) 4., for
tobacco use prevention and cessation activities.

SECTION 349. 20.255 (1) (hj) of the statutes is created to read:

20.255 (1) (hj) General educational development and high school graduation
equivalency. The amounts in the schedule for the administrative costs of issuing
general educational development certificates and declarations of equivalency of high
school graduation under s. 115.29 (4). All moneys received from fees imposed under
s. 115.29 (4) (b) shall be credited to this appropriation.

SECTION 350. 20.255 (2) (ac) of the statutes is amended to read:
20.255 (2) (ac) General equalization aids. A sum sufficient The amounts in the schedule for the payment of educational aids under ss. 121.08, 121.09, 121.095, and 121.105 and subch. VI of ch. 121 equal to $4,200,945,900 in the 2002–03 fiscal year, equal to the amount determined by law in the 2003–04 fiscal year and biennially thereafter, and equal to the amount determined by the joint committee on finance under s. 121.15 (3m) (c) in the 2004–05 fiscal year and biennially thereafter.

Section 351. 20.255 (2) (b) of the statutes is amended to read:

20.255 (2) (b) Aids for special education and school age parents programs. The amounts in the schedule for the payment of aids for special education and school age parents programs under ss. 115.88, 115.93 and 118.255. On dates determined by the secretary of administration, amounts equal to the amounts paid by the department of health and family services under s. 49.45 (39) (b) 1m. shall lapse from this appropriation account to the general fund.

Section 352. 20.255 (2) (kp) of the statutes is repealed.

Section 353. 20.255 (2) (r) of the statutes is created to read:

20.255 (2) (r) General equalization aids; transportation fund. From the transportation fund, the amounts in the schedule for the payment of aid under s. 121.08.

Section 354. 20.255 (3) (qm) of the statutes is created to read:

20.255 (3) (qm) Supplemental aid to public library systems. From the universal service fund, the amounts in the schedule for state aid to public library systems under s. 43.24.

Section 355. 20.255 (4) (s) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:
20.255 (4) (s) Telecommunications access; school districts. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (1) 16.971 (13) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (g) 20.505 (1) (is) and, prior to January 1, 2006, to make grants to school districts under s. 115.9995 (6).

SECTION 356. 20.255 (4) (t) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

20.255 (4) (t) Telecommunications access; private and technical colleges and libraries. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (2) 16.971 (14) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (g) 20.505 (1) (is).

SECTION 357. 20.255 (4) (tm) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

20.255 (4) (tm) Telecommunications access; private schools. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (3) 16.971 (15) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (g) 20.505 (1) (is) and, prior to January 1, 2006, to make grants to private schools under s. 115.9995 (6).

SECTION 358. 20.255 (4) (tu) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:
20.255 (4) (tu) **Telecommunications access; state schools.** Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (4) 16.971 (16) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (g) 20.505 (1) (kL).

**SECTION 359.** 20.255 (4) (tw) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

20.255 (4) (tw) **Telecommunications access; secured correctional facilities.** Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (1) 16.971 (13) to the extent that the amounts due are not paid from the appropriation under s. 20.530 20.505 (1) (ke).

**SECTION 360.** 20.275 (intro.) of the statutes is repealed.

**SECTION 361.** 20.275 (1) (title) of the statutes is renumbered 20.255 (4) (title).

**SECTION 362.** 20.275 (1) (a) of the statutes is repealed.

**SECTION 363.** 20.275 (1) (d) of the statutes is repealed.

**SECTION 364.** 20.275 (1) (er) of the statutes is renumbered 20.255 (4) (er) and amended to read:

20.255 (4) (er) **Principal, interest, and rebates; general purpose revenue — public library boards.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to public library boards under s. 44.72 (4) 115.999 and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m), to the extent that these costs and payments are not paid under par. (hb).
SECTION 365. 20.275 (1) (es) of the statutes is renumbered 20.255 (4) (es) and amended to read:

20.255 (4) (es) Principal, interest, and rebates; general purpose revenue — schools. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to school districts and charter school sponsors under s. 44.72 (4) 115.999 and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m), to the extent that these costs and payments are not paid under par. (h).

SECTION 366. 20.275 (1) (et) of the statutes is repealed.

SECTION 367. 20.275 (1) (f) of the statutes is repealed.

SECTION 368. 20.275 (1) (g) of the statutes is repealed.

SECTION 369. 20.275 (1) (h) of the statutes is renumbered 20.255 (4) (h) and amended to read:

20.255 (4) (h) Principal, interest, and rebates; program revenue — schools. All moneys received under s. 44.72 (4) (c) 115.999 (3) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to school districts and charter school sponsors under s. 44.72 (4) 115.999 and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m).

SECTION 370. 20.275 (1) (hb) of the statutes is renumbered 20.255 (4) (hb) and amended to read:

20.255 (4) (hb) Principal, interest, and rebates; program revenue — public library boards. All moneys received under s. 44.72 (4) (c) 115.999 (3) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
SECTION 370. The building commission under s. 13.488 (1) (m).

SECTION 371. 20.275 (1) (i) of the statutes is repealed.

SECTION 372. 20.275 (1) (im) of the statutes is repealed.

SECTION 373. 20.275 (1) (jm) of the statutes is repealed.

SECTION 374. 20.275 (1) (js) of the statutes is renumbered 20.255 (4) (js) and amended to read:

20.255 (4) (js) Educational technology block grants; Wisconsin Advanced Telecommunications Foundation assessments. All moneys received from assessments paid under 2001 Wisconsin Act 16, section 9142 (3mk), to make payments to school districts under s. 44.72 (2) (b) 2. promote the use of educational technology by educational agencies in this state.

SECTION 375. 20.275 (1) (k) of the statutes is repealed.

SECTION 376. 20.275 (1) (L) of the statutes is renumbered 20.255 (4) (L) and amended to read:

20.255 (4) (L) Equipment purchases and leases. All moneys received from school districts, cooperative educational service agencies, and public educational institutions for the purchase or lease of educational technology equipment under s. 44.71 (2) (h) 115.998 (8), for the purpose of purchasing such equipment.

SECTION 377. 20.275 (1) (m) of the statutes is repealed.

SECTION 378. 20.275 (1) (mp) of the statutes is renumbered 20.255 (4) (mp) and amended to read:

20.255 (4) (mp) Federal e-rate aid. All federal moneys received under 47 USC 254 for payments to school districts under s. 44.72 (2) (b) 2. to pay administrative
expenses relating to the receipt and disbursement of those federal moneys, to forgive
the repayment of loans under s. 115.999 (3m), and to reimburse s. 20.255 (4) (er) and
(es) as provided in s. 115.999 (3m).

**SECTION 379.** 20.275 (1) (q) of the statutes is repealed.

**SECTION 380.** 20.275 (1) (s) of the statutes is renumbered 20.255 (4) (s) and
amended to read:

20.255 (4) (s) **Telecommunications access; school districts; grant.** Biennially,
from the universal service fund, the amounts in the schedule to make payments to
telecommunications providers under contracts with the department of
administration under s. 16.974 (1) to the extent that the amounts due are not paid
from the appropriation under s. 20.530 (1) (is), (g) and, prior to January 1, 2006, to
make grants to school districts under s. 44.73 (6); and, in the 1999–2000 fiscal year,
to award a grant to the distance learning network under 1999 Wisconsin Act 9,
section 9148 (4w) 115.9995 (6).

**SECTION 381.** 20.275 (1) (t) of the statutes is renumbered 20.255 (4) (t) and
amended to read:

20.255 (4) (t) **Telecommunications access; private and technical colleges and
libraries.** Biennially, from the universal service fund, the amounts in the schedule
to make payments to telecommunications providers under contracts with the
department of administration under s. 16.974 (2) to the extent that the amounts due
are not paid from the appropriation under s. 20.530 (1) (is) (g).

**SECTION 382.** 20.275 (1) (tm) of the statutes is renumbered 20.255 (4) (tm) and
amended to read:

20.255 (4) (tm) **Telecommunications access; private schools.** Biennially, from
the universal service fund, the amounts in the schedule to make payments to
telecommunications providers under contracts with the department of
administration under s. 16.974 (3) to the extent that the amounts due are not paid
from the appropriation under s. 20.530 (1) (is) (g) and, prior to January 1, 2006, to
make grants to private schools under s. 44.73 115.9995 (6).

SECTION 383. 20.275 (1) (tu) of the statutes is renumbered 20.255 (4) (tu) and
amended to read:

20.255 (4) (tu) Telecommunications access; state schools. Biennially, from the
universal service fund, the amounts in the schedule to make payments to
telecommunications providers under contracts with the department of
administration under s. 16.974 (4) to the extent that the amounts due are not paid
from the appropriation under s. 20.530 (1) (kL) (g).

SECTION 384. 20.275 (1) (tw) of the statutes is renumbered 20.255 (4) (tw).

SECTION 385. 20.285 (1) (h) of the statutes is amended to read:

20.285 (1) (h) Auxiliary enterprises. Except as provided under subs. (4) (g) and
(gm), (5) (i), and (6) (g), all moneys received by the University of Wisconsin System
for or on account of any housing facility, commons, dining halls, cafeteria, student
union, athletic activities, stationery stand or bookstore, parking facilities or car fleet,
or such other auxiliary enterprise activities as the board designates and including
such fee revenues as allocated by the board and including such moneys received
under leases entered into previously with nonprofit building corporations as the
board designates to be receipts under this paragraph, to be used for the operation,
maintenance, and capital expenditures of activities specified in this paragraph,
including the transfer of funds to pars. (kd) and (ke), and s. 20.235 (1) (ke), and to
nonprofit building corporations to be used by the corporations for the retirement of
existing indebtedness and such other payments as may be required under existing
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loan agreements, and for optional rental payments in addition to the mandatory
rental payments under the leases and subleases in connection with the providing of
facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate
account shall be maintained for each campus and extension. Upon the request of the
extension or any campus within the system, the board of regents may transfer
surplus moneys appropriated under this paragraph to the appropriation account
under par. (kp). Annually, the amount in the schedule under s. 20.005 (3) for the
appropriation under s. 20.235 (1) (ke) shall be transferred from this appropriation
to the appropriation account under s. 20.235 (1) (ke).

SECTION 386. 20.285 (1) (h) of the statutes, as affected by 2003 Wisconsin Act
.... (this act), is amended to read:

20.285 (1) (h) Auxiliary enterprises. Except as provided under subs. (4) (g) and
(gm), (5) (i), and (6) (g), all moneys received by the University of Wisconsin System
for or on account of any housing facility, commons, dining halls, cafeteria, student
union, athletic activities, stationery stand or bookstore, parking facilities or car fleet,
or such other auxiliary enterprise activities as the board designates and including
such fee revenues as allocated by the board and including such moneys received
under leases entered into previously with nonprofit building corporations as the
board designates to be receipts under this paragraph, to be used for the operation,
maintenance, and capital expenditures of activities specified in this paragraph,
including the transfer of funds to pars. (kd), (ke), and s. 20.235 (1) sub. (7) (ke), and
to nonprofit building corporations to be used by the corporations for the retirement
of existing indebtedness and such other payments as may be required under existing
loan agreements, and for optional rental payments in addition to the mandatory
rental payments under the leases and subleases in connection with the providing of
facilities for such activities, and for grants under ss. 36.25 (14) and 36.34. A separate account shall be maintained for each campus and extension. Upon the request of the extension or any campus within the system, the board of regents may transfer surplus moneys appropriated under this paragraph to the appropriation account under par. (kp). Annually, the amount in the schedule under s. 20.005 (3) for the appropriation under s. 20.235 (1) sub. (7) (ke) shall be transferred from this appropriation to the appropriation account under s. 20.235 (1) sub. (7) (ke).

SECTION 387. 20.285 (1) (kr) of the statutes is amended to read:

20.285 (1) (kr) University of Wisconsin center for tobacco research and intervention. All moneys received from the tobacco control board department of health and family services under s. 255.15 (3) (a) 1., to advance the work of the tobacco research and intervention center at the University of Wisconsin−Madison in developing new educational programs to discourage tobacco use, determining the most effective strategies for preventing tobacco use and expanding smoking cessation programs throughout the state.

SECTION 388. 20.285 (1) (mc) of the statutes is created to read:

20.285 (1) (mc) Veterinary diagnostic laboratory; federal funds. All moneys received from the federal government for the veterinary diagnostic laboratory to be used in accordance with the provisions of the federal grant or program.

SECTION 389. 20.285 (4) (g) of the statutes is created to read:

20.285 (4) (g) Lawton minority undergraduate grant program; auxiliary enterprises. From moneys received from the auxiliary enterprises described under s. 20.285 (1) (h), the amounts in the schedule for the Lawton minority undergraduate grant program under s. 36.34 (1).

SECTION 390. 20.285 (4) (gm) of the statutes is created to read:
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20.285 (4) (gm) Minority and disadvantaged graduate student grant program; auxiliary enterprises. From moneys received from the auxiliary enterprises described under s. 20.285 (1) (h), the amounts in the schedule for the minority and disadvantaged graduate student grant program under s. 36.25 (14).

SECTION 391. 20.292 (1) (ch) of the statutes is created to read:

20.292 (1) (ch) Health care education programs. The amounts in the schedule for grants to district boards for health care education programs under s. 38.04 (28).

SECTION 392. 20.292 (1) (cm) of the statutes is repealed.

SECTION 393. 20.292 (1) (er) of the statutes is repealed.

SECTION 394. 20.370 (1) (fe) 1. of the statutes is is renumbered 20.370 (1) (fe) and amended to read:

20.370 (1) (fe) From the general fund, a sum sufficient in fiscal year 1993−94 and in each fiscal year thereafter that equals the sum of the amount certified in that fiscal year under s. 71.10 (5) (h) 3. for the previous fiscal year and the amounts received under par. (gr) in that fiscal year for the purposes of the endangered resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under this subdivision may not exceed $500,000 in a fiscal year, except that the amount appropriated under this subdivision in fiscal year 2001−02 2003−04 may not exceed $482,500 $312,200 and the amount appropriated under this subdivision in fiscal year 2002−03 2004−05 may not exceed $475,000 $364,000.

SECTION 395. 20.370 (1) (fe) 1m. of the statutes is repealed.

SECTION 396. 20.370 (1) (fe) 2. of the statutes is repealed.

SECTION 397. 20.370 (1) (fs) of the statutes is amended to read:

20.370 (1) (fs) Endangered resources — voluntary payments; sales, leases, and fees. As a continuing appropriation, from moneys received as amounts designated
under ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under ss. 71.10
(5) (h) 4. and 71.30 (10) (h) 3., all moneys received from the sale or lease of resources
derived from the land in the state natural areas system, and all moneys received from
fees collected under ss. 23.27 (3) (b), 29.319 (2), 29.563 (10), and 341.14 (6r) (b) 5., for
the purposes of the endangered resources program, as defined under ss. 71.10 (5) (a)
2. and 71.30 (10) (a) 2. Three percent of the moneys certified under ss. 71.10 (5) (h)
4. and 71.30 (10) (h) 3. in each fiscal year and 3% of the fees received under s. 341.14
(6r) (b) 5. in each fiscal year shall be allocated for wildlife damage control and
payment of claims for damage associated with endangered or threatened species,
except that this combined allocation may not exceed $100,000 per fiscal year.

SECTION 398. 20.370 (1) (jk) of the statutes is renumbered 20.370 (4) (jk).

SECTION 399. 20.370 (1) (mu) of the statutes, as affected by 2001 Wisconsin Act
109, section 36db, is amended to read:

20.370 (1) (mu) General program operations — state funds. The amounts in
the schedule for general program operations that do not relate to the management
and protection of the state's fishery resources and that are conducted under ss. 23.09
to 23.11, 27.01, 30.203, 30.277, and 90.21, subch. VI of ch. 77 and chs. 26, 28, 29, and
169 and for transfers to the appropriation account under s. 20.285 (1) (kf).

SECTION 400. 20.370 (1) (mv) of the statutes is created to read:

20.370 (1) (mv) General program operations — state funds; forestry. The
amounts in the schedule for general program operations that relate to the
management and protection of the state's forestry resources and that are conducted
under ss. 23.09 to 23.11 and 27.01, subch. VI of ch. 77, and chs. 26 and 28.

SECTION 401. 20.370 (2) (bi) of the statutes is amended to read:
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20.370 (2) (bi) Air management — asbestos management. All moneys received from fees imposed under s. 285.69 (1) (c) on persons proposing asbestos abatement projects and all moneys received from fees imposed under s. 285.69 (3) for asbestos abatement inspections, for costs related to exempting asbestos abatement projects from air pollution control permits and for inspections of asbestos demolition and renovation projects.

SECTION 402. 20.370 (2) (dh) of the statutes is amended to read:

20.370 (2) (dh) Solid waste management — remediated property. All moneys received under ss. 292.11 (7) (d) 2., 292.13 (3), 292.15 (5), 292.21 (1) (c) 1. d., 292.35 (13) and 292.55 (2), and 292.94 for the department’s activities related to the issuance of determinations under s. 292.13 (2), remedial action cost recovery under s. 292.35 and, remediation of property under ss. 292.11 (7) (d), 292.15 (2) and (4), and 292.55 (1), and conducting reviews described in s. 292.94.

SECTION 403. 20.370 (3) (ad) of the statutes is renumbered 20.370 (3) (av) and amended to read:

20.370 (3) (av) Law enforcement — car kill deer; general transportation fund. From the general transportation fund, the amounts in the schedule to pay 50% of the costs of the removal and disposal of car kill deer from highways.

SECTION 404. 20.370 (4) (mu) of the statutes is amended to read:

20.370 (4) (mu) General program operations — state funds. The amounts in the schedule for general program operations that relate to the management and protection of the state’s fishery resources and that are conducted under ss. 23.09 to 23.11, 30.203 and 30.277 and ch. 29 and for transfers to the appropriation account under s. 20.285 (1) (kb).

SECTION 405. 20.370 (6) (aa) of the statutes is amended to read:
20.370 (6) (aa) Environmental aids; nonpoint source. Biennially, the amounts in the schedule for grants and assistance under the nonpoint source water pollution abatement program under s. 281.65. The department shall allocate $300,000 in each fiscal year from this appropriation for grants under s. 281.65 (8) (cm).

SECTION 406. 20.370 (6) (ag) of the statutes is renumbered 20.370 (7) (cg) and amended to read:

20.370 (7) (cg) Environmental aids Principal repayment and interest — nonpoint repayments. All moneys received as repayments of cash surpluses and cash advances from recipients of grants under the nonpoint source water pollution abatement program under s. 281.65, for grants and assistance under the nonpoint source water pollution abatement program under s. 281.65 to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in providing funds under s. 20.866 (2) (te) for nonpoint source water pollution projects under s. 281.65 and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects.

SECTION 407. 20.370 (6) (dq) of the statutes is amended to read:

20.370 (6) (dq) Environmental aids – urban nonpoint source. From Biennially, from the environmental fund, the amounts in the schedule to provide financial assistance for urban nonpoint source water pollution abatement and storm water management under s. 281.66 and for municipal flood control and riparian restoration under s. 281.665.

SECTION 408. 20.370 (6) (er) of the statutes is repealed.

SECTION 409. 20.370 (6) (es) of the statutes is created to read:
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20.370 (6) (es) Brownfields grant program. Biennially, from the environmental fund, the amounts in the schedule for brownfields grants under s. 292.74.

SECTION 410. 20.370 (6) (et) of the statutes is repealed.

SECTION 411. 20.370 (6) (eu) of the statutes is repealed.

SECTION 412. 20.370 (7) (aa) of the statutes is amended to read:

20.370 (7) (aa) Resource acquisition and development — principal repayment and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the placement of structures and fill under s. 30.203, in financing the acquisition, construction, development, enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and (tr), in financing state aids for land acquisition and development of local parks under s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice age trail development under s. 20.866 (2) (tw), in financing the Warren Knowles–Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in financing the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 20.866 (2) (ta), but not including payments made under par. (ac). Payments may not be made from this appropriation account for principal and interest costs incurred in financing land acquisition and development of state forests under ss 20.866 (2) (ta) and (tz) until all moneys available under s. 20.370 (7) (au) have been expended.

SECTION 413. 20.370 (7) (au) of the statutes is amended to read:

20.370 (7) (au) State forest acquisition and development — principal repayment and interest. From the conservation fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition and development for state forests from the appropriations under s.
20.866 (2) (ta) and (tz). No moneys may be expended or encumbered from this appropriation after June 30, 2003 2005.

**SECTION 414.** 20.370 (7) (ba) of the statutes is repealed.

**SECTION 415.** 20.370 (7) (bq) of the statutes is amended to read:

20.370 (7) (bq) **Principal repayment and interest — remedial action.** From the environmental fund, the amounts in the schedule a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing remedial action under ss. 281.83 and 292.31 and for the payment of this state's share of environmental repair that is funded under 42 USC 960l to 9675.

**SECTION 416.** 20.370 (7) (ca) of the statutes is amended to read:

20.370 (7) (ca) **Principal repayment and interest — nonpoint source grants.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in providing funds under s. 20.866 (2) (te) for nonpoint source water pollution abatement projects under s. 281.65 and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, to the extent that these payments are not made under par. (cg).

**SECTION 417.** 20.370 (7) (fv) of the statutes is repealed.

**SECTION 418.** 20.395 (1) (dq) of the statutes is created to read:

20.395 (1) (dq) **Commuter rail transit system development grants, state funds.** The amounts in the schedule for commuter rail transit system development grants under s. 85.064.

**SECTION 419.** 20.395 (1) (dv) of the statutes is created to read:
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20.395 (1) (dv) Commuter rail transit system development grants, local funds.
All moneys received from any local unit of government or other source for commuter
rail transit system development under s. 85.064, for such purposes.

SECTION 420. 20.395 (1) (dx) of the statutes is created to read:
20.395 (1) (dx) Commuter rail transit system development grants, federal
funds. All moneys received from the federal government for commuter rail transit
system development under s. 85.064, for such purposes.

SECTION 421. 20.395 (2) (gg) of the statutes is created to read:
20.395 (2) (gg) Railroad payments. From the general fund, all moneys received
from railroads under s. 195.60 and credited to this appropriation account for
activities related to railroad regulation under chs. 190 to 195, for such purposes.

SECTION 422. 20.395 (2) (gq) of the statutes is amended to read:
20.395 (2) (gq) Railroad crossing improvement and protection maintenance
and railroad regulation, state funds. The amounts in the schedule to pay the costs
for railroad crossing protection maintenance under s. 195.28 (3) and for activities
related to railroad regulation under chs. 190 to 195.

SECTION 423. 20.395 (3) (ck) (title) of the statutes is amended to read:
20.395 (3) (ck) (title) West Canal Street reconstruction and extension, service
funds.

SECTION 424. 20.395 (3) (cq) of the statutes is amended to read:
20.395 (3) (cq) State highway rehabilitation, state funds. As a continuing
appropriation, the amounts in the schedule for improvement of existing state trunk
and connecting highways; for improvement of bridges on state trunk or connecting
highways and other bridges for which improvement is a state responsibility, for
necessary approach work for such bridges and for replacement of such bridges with
at-grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements; for bridges under s. 84.10; for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business demonstration and training program under s. 84.076; for the transfers required under 1999 Wisconsin Act 9, section 9250 (1); and for the purposes described under 1999 Wisconsin Act 9, section 9150 (8g), and 2001 Wisconsin Act 16, section 9152 (4e). This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014, or to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to the improvement of existing state trunk and connecting highways.

**SECTION 425.** 20.395 (3) (cr) of the statutes is amended to read:

20.395 (3) (cr) **Southeast Wisconsin freeway rehabilitation, state funds.** As a continuing appropriation, the amounts in the schedule for rehabilitation of southeast Wisconsin freeways, including reconstruction and interim repair of the Marquette interchange in Milwaukee County, and for the grant under s. 84.03 (3) (a). This paragraph does not apply to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to rehabilitation of southeast Wisconsin freeways. No moneys may be encumbered from this appropriation account after June 30, 2011. Notwithstanding s. 20.001 (3) (c), any unencumbered balance in this appropriation account on July 1, 2011, shall be transferred to the appropriation account under par. (cq).
SECTION 426. 20.395 (3) (cs) of the statutes is created to read:

20.395 (3) (cs) Marquette interchange reconstruction, service funds. All moneys received from the fund created under s. 18.57 (1) as reimbursement for the temporary financing under sub. (9) (th) of the Marquette interchange reconstruction project specified under s. 84.014 if financed under s. 84.59, for the purpose of financing such project.

SECTION 427. 20.395 (3) (ct) of the statutes is created to read:

20.395 (3) (ct) State highway rehabilitation, service funds. All moneys received from the fund created under s. 18.57 (1) as reimbursement for the temporary financing under sub. (9) (th) of state highway rehabilitation projects that are financed under s. 84.59, for the purpose of financing such projects.

SECTION 428. 20.395 (3) (cy) of the statutes is amended to read:

20.395 (3) (cy) Southeast Wisconsin freeway rehabilitation, federal funds. All moneys received from the federal government for rehabilitation of southeast Wisconsin freeways, including reconstruction and interim repair of the Marquette interchange in Milwaukee County, and for the grant under s. 84.03 (3) (a), for such purposes. This paragraph does not apply to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to rehabilitation of southeast Wisconsin freeways. No moneys may be encumbered from this appropriation account after June 30, 2011. Notwithstanding s. 20.001 (3) (c), any unencumbered balance in this appropriation account on July 1, 2011, shall be transferred to the appropriation account under par. (cx).

SECTION 429. 20.395 (4) (aq) of the statutes is amended to read:
20.395 (4) (aq) Departmental management and operations, state funds. The amounts in the schedule for departmental planning and administrative activities and the administration and management of departmental programs except those programs under subs. (2) (bq), (cq), and (dq) and (3) (i), including those activities in s. 85.07 and including not less than $220,000 in each fiscal year to reimburse the department of justice for legal services provided the department under s. 165.25 (4) (a) and including activities related to the transportation employment and mobility program under s. 85.24 that are not funded from the appropriation under sub. (1) (bs), (bv), or (bx), and the scholarship and loan repayment incentive grant program under s. 85.107, and the Type 1 motorcycle, moped, and motor bicycle safety program under s. 85.30 and to match federal funds for mass transit planning.

SECTION 430. 20.395 (4) (as) of the statutes is created to read:

20.395 (4) (as) Type 1 motorcycle, moped, and motor bicycle safety program. The amounts in the schedule for the Type 1 motorcycle, moped, and motor bicycle safety program under s. 85.30.

SECTION 431. 20.395 (4) (ay) of the statutes is created to read:

20.395 (4) (ay) Indirect cost reimbursements, federal funds. All moneys received from the federal government as reimbursement of indirect costs of administering grants and contracts, for the purposes authorized in s. 16.54 (9) (b).

SECTION 432. 20.395 (4) (es) of the statutes is amended to read:

20.395 (4) (es) Other department services, operations, service funds. All moneys received as payment for graphic, audiovisual, printing production, postal, and aircraft fleet services for costs associated with these operations relating to materials and equipment purchases, postage, and other such direct costs as the department deems appropriate.
SECTION 433. 20.395 (4) (jq) of the statutes is amended to read:

20.395 (4) (jq) Transportation facilities and highway projects revenue obligation funding. As a continuing appropriation, all proceeds from revenue obligations issued under s. 84.59 and deposited into the fund created under s. 18.57 (1), for the transportation administrative facilities purposes of s. 84.01 (28) and, for major highway projects as defined under s. 84.013 (1) (a) for the purposes of ss. 84.06 and 84.09, for state highway rehabilitation projects for the purposes specified in s. 20.395 (3) (cq) and the purposes under ss. 84.06 and 84.09, and for the Marquette interchange reconstruction project under s. 84.014 for the purposes of ss. 84.06 and 84.09, providing for reserves and for expenses of issuance and management of the revenue obligations. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 434. 20.395 (5) (cg) of the statutes is amended to read:

20.395 (5) (cg) Vehicle registration, telephone renewal Internet and telephone transactions, state funds. From the general fund, all moneys received from Internet and telephone credit card transaction fees under s. 341.255 (3) for the purpose of administering vehicle registration renewals under s. 341.255 (3) that are authorized under s. 85.14 (1) (a) and all moneys received from convenience fees for the purpose of paying vendor and Internet charges.

SECTION 435. 20.395 (5) (fq) of the statutes is created to read:

20.395 (5) (fq) Motor vehicle emission inspection and maintenance program; petroleum inspection fund. From the petroleum inspection fund, the amounts in the schedule for administering the motor vehicle emission inspection and maintenance program, and to provide for contracts for the operation of inspection stations, under s. 110.20.
SECTION 436. 20.395 (6) (as) of the statutes is amended to read:

20.395 (6) (as) *Transportation facilities and highway projects revenue obligation repayment.* From the any fund created under s. 84.59 (2), all moneys received by the fund and not transferred under s. 84.59 (3) to the transportation fund, for the purpose of the retirement of revenue obligations, providing for reserves and for operations relating to the management and retirement of revenue obligations issued under s. 84.59. All moneys received are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds to be received thereafter. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 437. 20.395 (9) (gg) of the statutes is amended to read:

20.395 (9) (gg) *Credit card use charges.* All moneys received under ch. 194, 218, 341, 342, 343, or 348 as provided in s. 85.14 (1) (a) that are required to be paid to the state treasurer secretary of administration under s. 85.14 (1) (b) for the purpose of the payment of charges associated with the use of credit cards that are assessed to the department under s. 85.14 (1) (b).

SECTION 438. 20.395 (9) (th) of the statutes is amended to read:

20.395 (9) (th) *Temporary funding of projects financed by revenue bonds.* A sum sufficient to provide initial, temporary funding for any project to be financed under s. 84.59 which that is a major highway project enumerated under s. 84.013 (3) or, a project under s. 84.01 (28) approved under s. 13.48 (10) or authorized under s. 84.01 (30), a state highway rehabilitation project, or the Marquette interchange reconstruction project under s. 84.014. The department shall keep a separate account of expenditures under this paragraph for each such project. As soon as
moneys become available from the proceeds of the obligation issued under s. 84.59
to finance that project, an amount equal to the amounts expended under this paragraph shall be paid from those proceeds into the transportation fund and credited to the appropriation account under sub. (3) (br), (cs), or (ct) or (4) (at).

SECTION 439. 20.410 (1) (a) of the statutes is amended to read:

20.410 (1) (a) General program operations. The amounts in the schedule to operate institutions and provide field services and administrative services and for the general program operations of the sentencing commission. No payments may be made under this paragraph for payments in accordance with other states party to the interstate corrections compact under s. 302.25.

SECTION 440. 20.410 (1) (ge) of the statutes is amended to read:

20.410 (1) (ge) Administrative and minimum supervision. The amounts in the schedule for the supervision of probationers, parolees, and persons on extended supervision under minimum or administrative supervision and for the department’s costs associated with contracts under s. 301.08 (1) (c) 2. All moneys received from vendors under s. 301.08 (1) (c) 4. and from fees charged under s. 304.073 (2) shall be credited to this appropriation account.

SECTION 441. 20.410 (3) (hm) of the statutes is amended to read:

20.410 (3) (hm) Juvenile correctional services. Except as provided in pars. (ho) and (hr), the amounts in the schedule for juvenile correctional services specified in s. 301.26 (4) (c) and (d) and to operate the correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a). All moneys received from the sale of surplus property, including vehicles, from juvenile correctional institutions operated by the department, all moneys received as payments in restitution of property damaged at juvenile correctional institutions operated by the department, all moneys received
from miscellaneous services provided at a juvenile correctional institution operated
by the department, all moneys transferred under s. 301.26 (4) (cm), all moneys
received under 1997 Wisconsin Act 27, section 9111 (2u) and, except as provided in
par. (hr), all moneys received in payment for juvenile correctional services specified
in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If
moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year
institutional costs, other than the cost of operating the correctional institution
authorized under 1997 Wisconsin Act 4, section 4 (1) (a), by 2% or more, all moneys
in excess of that 2% shall be remitted to the counties during the subsequent calendar
year or transferred to the appropriation account under par. (kx) during the
subsequent fiscal year. Each county and the department shall receive a
proportionate share of the remittance and transfer depending on the total number
of days of placement at juvenile correctional institutions including the Mendota
Juvenile Treatment Center. Counties shall use the funds for purposes specified in
s. 301.26. The department shall deposit in the general fund the amounts transferred
under this paragraph to the appropriation account under par. (kx).

SECTION 442. 20.425 (1) (title) of the statutes is amended to read:

20.425 (1) (title) PROMOTION OF PEACE IN LABOR LABOR RELATIONS.

SECTION 443. 20.425 (1) (a) of the statutes is amended to read:

20.425 (1) (a) General program operations. The amounts in the schedule for
the purposes provided in subchs. I, IV and V of ch. 111 and s. 230.45 (1).

SECTION 444. 20.434 of the statutes is repealed.

SECTION 445. 20.435 (2) (bj) of the statutes is amended to read:

20.435 (2) (bj) Competency examinations and conditional and supervised
release services. Biennially, the amounts in the schedule for outpatient competency
examinations in a county with a population of 500,000 or more, conducted in a jail
or locked unit under s. 971.14 (2) (am) and for payment by the department of costs
for treatment and services for persons released under s. 980.06 (2) (c), 1997 stats.,
or s. 971.17 (3) (d) or (4) (e) or 980.08 (5), for which the department has contracted
with county departments under s. 51.42 (3) (aw) 1. d., with other public agencies, or
with private agencies to provide the treatment and services.

Section 446. 20.435 (2) (g) of the statutes is amended to read:

20.435 (2) (g) Alternative services of institutes and centers. The amounts in the
schedule to provide services under ss. 46.043 and 51.06 (1r). All moneys received as
payments for services under ss. 46.043 and 51.06 (1r) shall be credited to this
appropriation account for provision of alternative services by mental health
institutes under s. 46.043 and by centers for the developmentally disabled under s.
51.06 (1r).

Section 447. 20.435 (2) (gk) of the statutes is amended to read:

20.435 (2) (gk) Institutional operations and charges. The amounts in the
schedule for care, other than under s. 51.06 (1r), provided by the centers for the
developmentally disabled, to reimburse the cost of providing the services and to
remit any credit balances to county departments that occur on and after
July 1, 1978, in accordance with s. 51.437 (4rm) (c); for care, other than under s.
46.043, provided by the mental health institutes, to reimburse the cost of providing
the services and to remit any credit balances to county departments that occur on and
after January 1, 1979, in accordance with s. 51.42 (3) (as) 2.; for maintenance of
state-owned housing at centers for the developmentally disabled and mental health
institutes; for repair or replacement of property damaged at the mental health
institutes or at centers for the developmentally disabled; and for reimbursing the
total cost of using, producing, and providing services, products, and care. All moneys received as payments from medical assistance on and after August 1, 1978; as payments from all other sources including other payments under s. 46.10 and payments under s. 51.437 (4rm) (c) received on and after July 1, 1978; as medical assistance payments, other payments under s. 46.10, and payments under s. 51.42 (3) (as) 2. received on and after January 1, 1979; as payments for the rental of state-owned housing and other institutional facilities at centers for the developmentally disabled and mental health institutes; for the sale of electricity, steam, or chilled water; as payments in restitution of property damaged at the mental health institutes or at centers for the developmentally disabled; for the sale of surplus property, including vehicles, at the mental health institutes or, except as provided in s. 51.06 (6), at centers for the developmentally disabled; and for other services, products, and care shall be credited to this appropriation, except that any payment under s. 46.10 received for the care or treatment of patients admitted under s. 51.10, 51.15, or 51.20 for which the state is liable under s. 51.05 (3), of patients admitted under s. 55.06 (9) (d) or (e) for which the state is liable under s. 55.05 (1), of forensic patients committed under ch. 971 or 975, admitted under ch. 975, or transferred under s. 51.35 (3), or of patients transferred from a state prison under s. 51.37 (5), to the Mendota Mental Health Institute or the Winnebago Mental Health Institute shall be treated as general purpose revenue — earned, as defined under s. 20.001 (4).

**SECTION 448.** 20.435 (2) (gL) of the statutes is created to read:

> 20.435 (2) (gL) Extended intensive treatment surcharge. All moneys received as payments of the surcharge for extended intensive treatment under s. 51.06 (5), for one-time payment of relocation costs for individuals under s. 46.275 (5) (e).
Section 449. 20.435 (3) (kc) of the statutes is amended to read:

20.435 (3) (kc) Interagency and intra-agency aids; kinship care and long-term kinship care. The amounts in the schedule for payments under s. 48.57 (3m) and (3n). All moneys transferred from the appropriation account under s. 20.445 (3) (md) to this appropriation account shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year is transferred to the appropriation account under s. 20.445 (3) (ky) (kx).

Section 450. 20.435 (3) (kd) of the statutes is amended to read:

20.435 (3) (kd) Kinship care and long-term kinship care assessments. The amounts in the schedule for assessments of kinship care relatives, as defined in s. 48.57 (3m) (a) 2., and long-term kinship care relatives, as defined in s. 48.57 (3n) (a) 2., who provide care and maintenance for children to determine if those kinship care relatives and long-term kinship care relatives are eligible to receive payments under s. 48.57 (3m) or (3n). All moneys transferred from the appropriation account under s. 20.445 (3) (md) to this appropriation account shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year is transferred to the appropriation account under s. 20.445 (3) (ky) (kx).

Section 451. 20.435 (3) (km) of the statutes is amended to read:

20.435 (3) (km) Federal block grant transfer; aids. The amounts in the schedule for grants under ss. s. 46.95 (2), 46.99 (2) (a) and 46.995 (2), (3) (b) and (4m) (b). All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account.

Section 452. 20.435 (4) (af) of the statutes is repealed.

Section 453. 20.435 (4) (ah) of the statutes is repealed.

Section 454. 20.435 (4) (b) of the statutes is amended to read:
20.435 (4) (b) Medical assistance Assistance program benefits. Biennially, the amounts in the schedule to provide a portion of the state share of medical assistance Medical Assistance program benefits administered under s. 49.45, to provide medical assistance a portion of the Medical Assistance program benefits administered under s. 49.45 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, and for services under the family care benefit under s. 46.284 (5). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (kb) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation account and may transfer between fiscal years funds that it transfers from the appropriation account under sub. (7) (kb) for the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

SECTION 455. 20.435 (4) (bm) of the statutes is amended to read:

20.435 (4) (bm) Medical assistance and badger care Assistance, food stamps, and Badger Care administration; contract costs, insurer reports, and resource centers. Biennially, the amounts in the schedule to provide the state share of administrative contract costs for the medical assistance Medical Assistance program under s. 49.45, the food stamp program under s. 49.79, and the badger care Badger Care health care program under s. 49.665, other than payments to counties and tribal governing bodies under s. 49.33 49.78 (8), to develop and implement a registry
of recipient immunizations, to reimburse insurers for their costs under s. 49.475, for costs associated with outreach activities, and for services of resource centers under s. 46.283. No state positions may be funded in the department of health and family services from this appropriation, except positions for the performance of duties under a contract in effect before January 1, 1987, related to the administration of the medical assistance program between the subunit of the department primarily responsible for administering the medical assistance Medical Assistance program and another subunit of the department. Total administrative funding authorized for the program under s. 49.665 may not exceed 10% of the amounts budgeted under pars. (bc), (p), and (x).

**SECTION 456.** 20.435 (4) (bn) of the statutes is amended to read:

20.435 (4) (bn) Income maintenance. Biennially, the amounts in the schedule for funeral expenses under s. 49.785 and for payments under s. 49.33 relating to the administration of the medical assistance Medical Assistance program, the Badger Care health care program under s. 49.665, and the food stamp program, and the cemetery, funeral, and burial expenses program under s. 49.785.

**SECTION 457.** 20.435 (4) (gm) of the statutes is amended to read:

20.435 (4) (gm) Health services regulation and vital statistics. The amounts in the schedule for the purposes specified in chs. 69 and 150. All moneys received under ch. 69 and s. 150.13 shall be credited to this appropriation account. From the fees collected under s. 50.135 (2), $310,100 $334,800 in fiscal year 2001–02 and $309,300 $338,200 in fiscal year 2002–03 2004–05 shall be credited to this appropriation account.

**SECTION 458.** 20.435 (4) (gp) of the statutes is amended to read:
20.435 (4) (gp) **Health care and graduate medical education; aid Medical assistance; hospital assessments.** All moneys received under s. 146.99, 50% to be used in each fiscal year for purchase of primary health care services under s. 146.93 and 50% to be used in each fiscal year for graduate medical education payments for training of providers under the medical assistance program under ss. 49.45 to 49.499 provide a portion of the state share of Medical Assistance program benefits administered under s. 49.45, to provide a portion of Medical Assistance program benefits administered under s. 49.45 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, and for services under the family care benefit under s. 46.284 (5). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (kb) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation account and may transfer between fiscal years funds that it transfers from the appropriation account under sub. (7) (kb) for the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

**SECTION 459.** 20.435 (4) (hm) of the statutes is created to read:

20.435 (4) (hm) **Medical Assistance; supplementary payments to counties.** All moneys received from a county under s. 59.53 (24), to supplement the state share of Medical Assistance Program benefits administered under ss. 46.275, 46.278, 49.45 (39) (b) 1m., and 49.46 (2) (a) 1., 2., 4. d. and e. and (b) 3., 6. b., c., d., f., fm., j., k., L.,
and m., 9., 12., 12m., 13., 15., and 16. Notwithstanding s. 20.001 (2) (b) and (3) (b), on dates to be determined by the secretary of administration, amounts equal to amounts received under this paragraph that are in excess of the payments made under this paragraph are transferred to the Medical Assistance trust fund.

**SECTION 460.** 20.435 (4) (jz) of the statutes is amended to read:

20.435 (4) (jz) Badger care premiums Care cost sharing. All moneys received from payments under s. 49.665 (5) to be used for the badger care Badger Care health care program for low-income families under s. 49.665.

**SECTION 461.** 20.435 (4) (n) of the statutes is amended to read:

20.435 (4) (n) Federal program operations. All moneys received from the federal government or any of its agencies for the state administration of continuing programs, other than moneys received under par. (pa), to be expended for the purposes specified.

**SECTION 462.** 20.435 (4) (nn) of the statutes is amended to read:

20.435 (4) (nn) Federal aid; income maintenance. All moneys received from the federal government for the costs of contracting for the administration of the medical assistance Medical Assistance program under subch. IV of ch. 49 and the badger care Badger Care health care program under s. 49.665 and the food stamp program, other than moneys received under par. (pa), for payments under s. 49.33 49.78 (8).

**SECTION 463.** 20.435 (4) (pa) of the statutes is amended to read:

20.435 (4) (pa) Federal aid; medical assistance Medical Assistance and food stamp contracts administration. All federal moneys received for the federal share of the cost of contracting for payment and services administration and reporting, other than moneys received under par. (nn), to reimburse insurers for their costs
under s. 49.475, for administrative contract costs for the food stamp program under
s. 49.79, and for services of resource centers under s. 46.283.

SECTION 464. 20.435 (4) (r) of the statutes is created to read:

20.435 (4) (r) Health care provider availability and cost control. From the
health care provider availability and cost control fund, as a continuing
appropriation, the amounts in the schedule to provide a portion of the state share of
Medical Assistance program benefits administered under s. 49.45, to provide a
portion of the Medical Assistance program benefits administered under s. 49.45 that
are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and
(10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section
9123 (9m), to fund services provided by resource centers under s. 46.283, and for
services under the family care benefit under s. 46.284 (5).

SECTION 465. 20.435 (4) (v) of the statutes is amended to read:

20.435 (4) (v) Health insurance risk-sharing plan Insurance Risk-Sharing
Plan; program benefits. All moneys received by the health insurance risk-sharing
plan Health Insurance Risk-Sharing Plan fund, except for moneys appropriated
under par. (u), for the operating costs of the health insurance risk-sharing plan
Health Insurance Risk-Sharing Plan under ch. 149, including premium, deductible,
and prescription drug copayment subsidies, subject to s. 149.143 (2m).

SECTION 466. 20.435 (4) (w) of the statutes, as affected by 2001 Wisconsin Act
16, is amended to read:

20.435 (4) (w) Medical assistance Assistance trust fund. From the medical
assistance Medical Assistance trust fund, biennially, the amounts in the schedule for
meeting costs of medical assistance administered under ss. 46.27, 46.275 (5), 46.278
(6), 46.283 (5), 46.284 (5), 49.45, and 49.472 (6), and 51.421 (3), for providing
distributions under s. 49.45 (6tt), and for administrative costs associated with
augmenting the amount of federal moneys received under 42 CFR 433.51.

**SECTION 467.** 20.435 (4) (w) of the statutes, as affected by 2001 Wisconsin Act
16, section 717b, and 2003 Wisconsin Act .... (this act), is amended to read:

20.435 (4) (w) *Medical assistance trust fund.* From the Medical Assistance
trust fund, biennially, the amounts in the schedule for meeting costs of medical
assistance administered under ss. 46.27, 46.275 (5), 46.278 (6), 46.283 (5), 46.284 (5),
49.45, 49.472 (6), and 51.421 (3), for providing distributions under s. 49.45 (6tt), and
for administrative costs associated with augmenting the amount of federal moneys
received under 42 CFR 433.51, and for administrative relocation activities specified
under ss. 46.277 (5) (am) and 46.278 (6) (am).

**SECTION 468.** 20.435 (4) (wp) of the statutes is created to read:

20.435 (4) (wp) *Medical Assistance trust fund; county reimbursement.* From
the Medical Assistance trust fund, a sum sufficient to provide reimbursement to a
county for moneys transferred in support of payment under s. 49.45 (6m) by the
county to the Medical Assistance trust fund and used as the nonfederal share of
Medical Assistance payments. Payment to a county under this paragraph may not
exceed the amount transferred by the county to the Medical Assistance trust fund.

**SECTION 469.** 20.435 (4) (wr) of the statutes is created to read:

20.435 (4) (wr) *Medical assistance trust fund; health maintenance
organizations.* From the Medical Assistance trust fund, biennially, from all moneys
received from health maintenance organizations under s. 49.45 (2) (a) 25., the
amounts in the schedule for payment to health maintenance organizations under ss.
49.45 (6zb) and 49.665 (4m).

**SECTION 470.** 20.435 (5) (cm) of the statutes is amended to read:
20.435 (5) (cm) *Immunization.* A sum sufficient not to exceed in each fiscal year 2001-02 the difference between $9,000,000 and the sum of the moneys received from the federal government under the federal vaccines for children program and under section 317 of the Public Health Service Act in fiscal year 2001-02 and not to exceed in fiscal year 2002-03 the difference between $9,000,000 and the sum of the moneys received in each fiscal year from the federal government for the provision of vaccine to immunize children, including moneys under the federal vaccines for children program and under section 317 of the Public Health Service Act in fiscal year 2002-03 42 USC 247b and 42 USC 1396s, for the provision of vaccine to immunize children under s. 252.04 (1).

**SECTION 471.** 20.435 (6) (gb) of the statutes is amended to read:

20.435 (6) (gb) *Alcohol and drug abuse initiatives.* All moneys received from the state treasurer under s. 961.41 (5) (c), to be expended on programs providing prevention, intervention, and treatment for alcohol and other drug abuse problems.

**SECTION 472.** 20.435 (6) (hx) of the statutes is amended to read:

20.435 (6) (hx) *Services related to drivers, receipts.* The amounts in the schedule for services related to drivers. All moneys received by the state treasurer, secretary of administration from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.655 and all moneys transferred from the appropriation account under s. 20.395 (5) (di) shall be credited to this appropriation. The secretary of administration shall annually transfer to the appropriation account under s. 20.395 (5) (ek) 3.76% of all moneys credited to this appropriation from the driver improvement surcharge. Any unencumbered moneys in this appropriation account may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5) (ci) and (di), and 20.455 (5) (h) by the secretary of administration, after
consultation with the secretaries of health and family services and transportation, the superintendent of public instruction, the attorney general, and the president of the University of Wisconsin System.

**SECTION 473.** 20.435 (6) (jm) of the statutes is amended to read:

> 20.435 (6) (jm) *Licensing and support services.* The amounts in the schedule for the purposes specified in ss. 48.685 (2) (am) and (b) 1., (3) (a) and (b) and (5) (a), 49.45 (47), 50.02 (2), 50.025, 50.065 (2) (am) and (b) 1., (3) (a) and (b) and (5), 50.13, 50.135, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57 and 50.981 and subch. IV of ch. 50 and to conduct health facilities plan and rule development activities, for accrediting nursing homes, convalescent homes and homes for the aged, to conduct capital construction and remodeling plan reviews under ss. 50.02 (2) (b) and 50.36 (2), for the demonstration projects under 2003 Wisconsin Act .... (this act), section 9124 (2) (a), and for the costs of inspecting, licensing or certifying and approving facilities, issuing permits and providing technical assistance that are not specified under any other paragraph in this subsection. All moneys received under ss. 48.685 (8), 49.45 (47) (c), 50.02 (2), 50.025, 50.065 (8), 50.13, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57, 50.93 (1) (c) and 50.981, all moneys received from fees for the costs of inspecting, licensing or certifying and approving facilities, issuing permits and providing technical assistance that are not specified under any other paragraph in this subsection, and all moneys received under s. 50.135 (2), less the amounts credited to the appropriation account under sub. (4) (gm), and all moneys received from forfeiture surcharges under 50.04 (5) (bm) shall be credited to this appropriation account.

**SECTION 474.** 20.435 (6) (jm) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:
20.435 (6) (jm) Licensing and support services. The amounts in the schedule for the purposes specified in ss. 48.685 (2) (am) and (b) 1., (3) (a) and (b) and (5) (a), 49.45 (47), 50.02 (2), 50.025, 50.065 (2) (am) and (b) 1., (3) (a) and (b) and (5), 50.13, 50.135, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57 and 50.981 and subch. IV of ch. 50 and to conduct health facilities plan and rule development activities, for accrediting nursing homes, convalescent homes and homes for the aged, to conduct capital construction and remodeling plan reviews under ss. 50.02 (2) (b) and 50.36 (2), for the demonstration projects under 2003 Wisconsin Act ..., (this act), section 9124 (2) (a), and for the costs of inspecting, licensing or certifying and approving facilities, issuing permits and providing technical assistance that are not specified under any other paragraph in this subsection. All moneys received under ss. 48.685 (8), 49.45 (47) (c), 50.02 (2), 50.025, 50.065 (8), 50.13, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57, 50.93 (1) (c) and 50.981, all moneys received from fees for the costs of inspecting, licensing or certifying and approving facilities, issuing permits and providing technical assistance that are not specified under any other paragraph in this subsection, and all moneys received under s. 50.135 (2), less the amounts credited to the appropriation account under sub. (4) (gm), and all moneys received from forfeiture surcharges under 50.04 (5) (bm) shall be credited to this appropriation account.

Section 475. 20.435 (7) (d) of the statutes is amended to read:

20.435 (7) (d) Telecommunication Interpreter services and telecommunication aid for the hearing impaired. The amounts in the schedule for the purpose of providing to provide interpreter services for hearing-impaired persons under s. 46.295 (1) and assistance under the telecommunication assistance program for the hearing impaired under s. 46.297.
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SECTION 476. 20.435 (7) (kc) of the statutes is amended to read:

20.435 (7) (kc) Independent living center grants. The amounts in the schedule for the purpose of making grants to independent living centers for the severely disabled under s. 46.96. All moneys transferred from s. 20.445 (5) (na) (n) for the purpose of providing grants to independent living centers for the severely disabled under s. 46.96 shall be credited to this appropriation.

SECTION 477. 20.435 (7) (kd) of the statutes is repealed.

SECTION 478. 20.435 (7) (o) of the statutes is amended to read:

20.435 (7) (o) Federal aid; community aids. All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b); all federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985; all federal temporary assistance for needy families moneys received under 42 USC 601 to 619 that are authorized to be used to purchase or provide social services under 42 USC 1397 to 1397e; and all unanticipated federal social services block grant funds received under 42 USC 1397 to 1397e, in accordance with s. 46.49 (2); and all federal moneys received under 42 USC 1396 to 1396v in reimbursement of the cost of preventing out-of-home placements of children, for distribution under s. 46.40. Disbursements from this appropriation may be made directly to counties for social and mental hygiene services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with federal requirements for the disbursal of federal funds.

SECTION 479. 20.436 (intro.) of the statutes is repealed.

SECTION 480. 20.436 (1) (title) of the statutes is repealed.

SECTION 481. 20.436 (1) (b) of the statutes is renumbered 20.435 (1) (b) and amended to read:
20.435 (1) (b) Annual Tobacco control; annual transfer from general fund.

Annually, beginning on June 15, 2004, a sum sufficient to be transferred from the general fund to the tobacco control fund equal to $25,000,000 $15,054,500 for fiscal year 2003–04 and equal to $15,062,000 for fiscal year 2004–05 and every fiscal year thereafter, less the amount transferred to the tobacco control fund from the permanent endowment fund under s. 13.101 (16) (b) in that fiscal year.

SECTION 482. 20.436 (1) (g) of the statutes is renumbered 20.435 (1) (g) and amended to read:

20.435 (1) (g) Gifts Tobacco control; gifts and grants. All moneys received from gifts, grants and donations for the purposes specified under s. 255.15 to be used for those purposes.

SECTION 483. 20.436 (1) (tb) of the statutes is renumbered 20.435 (1) (tb) and amended to read:

20.435 (1) (tb) General program operations; tobacco control. Biennially, from the tobacco control fund, the amounts in the schedule for general program operations of the related to tobacco control board.

SECTION 484. 20.436 (1) (tc) of the statutes is renumbered 20.435 (1) (tc) and amended to read:

20.435 (1) (tc) Grants from tobacco control fund. As From the tobacco control fund, as a continuing appropriation, the amounts in the schedule for the purposes specified under s. 255.15 (3).

SECTION 485. 20.445 (1) (cm) of the statutes is amended to read:

20.445 (1) (cm) Wisconsin service corps member compensation and support education vouchers. As a continuing appropriation, the amounts in the schedule for the payment of Wisconsin service corps member compensation and for other costs of
projects under the Wisconsin service corps program under s. 106.21 if those costs are
not paid by project sponsors. Corps member compensation includes the cost of
salaries, benefits and education vouchers under s. 106.213.

SECTION 486. 20.445 (1) (cm) of the statutes, as affected by 2003 Wisconsin Act
.... (this act), is repealed.

SECTION 487. 20.445 (1) (ga) of the statutes is amended to read:

20.445 (1) (ga) Auxiliary services. All moneys received from fees collected
under ss. 102.16 (2m) (d), 103.005 (15) and, 106.09 (7), and 106.12 (4) for the delivery
of services under ss. 102.16 (2m) (f), 103.005 (15) and, 106.09, and 106.12 (4) and ch.
108.

SECTION 488. 20.445 (1) (jr) of the statutes is repealed.

SECTION 489. 20.445 (1) (ka) of the statutes is amended to read:

20.445 (1) (ka) Interagency and intra-agency agreements. All moneys received
through contracts or financial agreements from other state agencies for the provision
of services to those state agencies and all moneys received by the department from
the department for the provision of services to the department, except moneys
appropriated under par. (kc) or (L), for the purpose of providing the services.

SECTION 490. 20.445 (1) (km) of the statutes is repealed.

SECTION 491. 20.445 (1) (kr) of the statutes is repealed.

SECTION 492. 20.445 (1) (kt) of the statutes is repealed.

SECTION 493. 20.445 (1) (L) of the statutes is repealed.

SECTION 494. 20.445 (1) (m) of the statutes is amended to read:

20.445 (1) (m) Federal funds Workforce investment and assistance; federal
moneys. All federal moneys received as authorized under s. 16.54, except as
otherwise appropriated under this section, for the purposes of the programs
administered by workforce investment and assistance activities of the department, to be used for those purposes.

SECTION 495. 20.445 (1) (ma) of the statutes is repealed.

SECTION 496. 20.445 (1) (mb) of the statutes is repealed.

SECTION 497. 20.445 (1) (mc) of the statutes is repealed.

SECTION 498. 20.445 (1) (n) of the statutes is amended to read:

20.445 (1) (n) Unemployment Employment assistance and unemployment insurance administration; federal moneys. All federal moneys received for the employment service under s. 106.09 (4) to (6), as authorized by the governor under s. 16.54, for the administration of employment assistance and unemployment insurance or programs of the department, for the performance of the department’s other functions under subch. I of ch. 106 and ch. 108, and for its other efforts to regularize employment, except moneys appropriated under par. (nc), and to pay the compensation and expenses of appeal tribunals and of employment councils and to pay allowances stimulating education during unemployment appointed under s. 108.14, to be used for such purposes, except as provided in s. 108.161 (3e), and to transfer to the appropriation account under par. (nb) an amount determined by the treasurer of the unemployment reserve fund not exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the amounts in the schedule under par. (nb), and to transfer to the appropriation account under par. (nd) an amount determined by the treasurer of the unemployment reserve fund not exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the amounts in the schedule under par. (nd).

SECTION 499. 20.445 (1) (nd) of the statutes is created to read:

20.445 (1) (nd) Unemployment insurance administration; apprenticeship.

From the moneys received from the federal government under section 903 of the
federal Social Security Act, as amended, the amounts in the schedule, as authorized by the governor under s. 16.54, to be used for administration by the department of apprenticeship programs under subch. I of ch. 106. All moneys transferred from par. (n) for this purpose shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the treasurer of the unemployment reserve fund shall transfer any unencumbered balance in this appropriation account that is not needed or available to carry out the purpose of this appropriation to the appropriation account under par. (n). No moneys may be expended from this appropriation unless the treasurer of the unemployment reserve fund determines that such expenditure is currently needed for the purpose specified in this paragraph.

Section 500. 20.445 (1) (o) of the statutes is created to read:

20.445 (1) (o) Equal rights; federal moneys. All federal moneys received for the activities of the division of equal rights in the department, to be used for those purposes.

Section 501. 20.445 (1) (ox) of the statutes is repealed.

Section 502. 20.445 (1) (p) of the statutes is created to read:

20.445 (1) (p) Worker’s compensation; federal moneys. All federal moneys received for the worker’s compensation activities of the department, to be used for those purposes.

Section 503. 20.445 (1) (u) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

20.445 (1) (u) Education vouchers and youth Youth employment grants; conservation fund. Biennially, from the conservation fund, the amounts in the schedule for the payment of Wisconsin conservation corps education vouchers under s. 106.217 and youth employment grants under s. 106.215 (1m).
**SECTION 504.** 20.445 (3) (dc) of the statutes is repealed.

**SECTION 505.** 20.445 (3) (dz) of the statutes is amended to read:

> 20.445 (3) (dz) Wisconsin works and other public assistance administration and benefits Temporary Assistance for Needy Families programs; maintenance of effort.

The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for administration and benefit payments under Wisconsin works under ss. 49.141 to 49.161, the learnfare program under s. 49.26, and the work experience and job search program for noncustodial parents under s. 49.36, and the food stamp employment and training program under s. 49.13; for payments to counties local governments, organizations, tribal governing bodies, and Wisconsin works agencies; for hospital paternity incentive payments under s. 69.14 (1) (cm); for job training services program activities under the workforce attachment and advancement program under s. 49.173; for emergency assistance for families with needy children under s. 49.138; and for funeral expenses under s. 49.30 job access loans under s. 49.147 (6). Payments may be made from this appropriation to counties for fraud investigation and error reduction under s. 49.197 (1m). Moneys appropriated under this paragraph may be used to match federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family services shall credit or deposit into this appropriation account funds for the purposes of this appropriation that the department transfers from the appropriation account under s. 20.435 (7) (bc). All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.
SECTION 506. 20.445 (3) (dz) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

20.445 (3) (dz) Temporary Assistance for Needy Families programs; maintenance of effort. The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for administration, employer reimbursements, participant stipends, education and training costs, and benefit payments under Wisconsin Works under ss. 49.141 to 49.161, the learnfare program under s. 49.26, and the work experience program for custodial parents under s. 49.36; for payments to local governments, organizations, tribal governing bodies, and Wisconsin Works agencies; for program activities under the workforce attachment and advancement program under s. 49.173; for emergency assistance for families with needy children under s. 49.138; and for job access loans under s. 49.147 (6). Payments may be made from this appropriation to counties for fraud investigation and error reduction under s. 49.197 (1m). Moneys appropriated under this paragraph may be used to match federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family services shall credit or deposit into this appropriation account funds for the purposes of this appropriation that the department transfers from the appropriation account under s. 20.435 (7) (bc). All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 507. 20.445 (3) (e) of the statutes is repealed.

SECTION 508. 20.445 (3) (fs) of the statutes is repealed.

SECTION 509. 20.445 (3) (ja) of the statutes is amended to read:
20.445 (3) (ja) Child support state operations — fees and reimbursements. All moneys received from fees charged under s. 49.22 (8), from fees ordered or otherwise owed under s. 767.29 (1) (d), from fees collected under s. ss. 49.854 (11) (b) and 767.29 (1) (dm) 1m., from reimbursements under s. 108.13 (4) (f), from fees charged and incentive payments and collections retained under s. 49.22 (7m), and under s. 49.855 (4) from the department of revenue or the department of administration that were withheld by the department of revenue or the internal revenue service for unpaid fees ordered or otherwise owed under s. 767.29 (1) (d), for costs associated with receiving and disbursing support and support-related payments, including any contract costs, and for administering the program under s. 49.22 and all other purposes specified in s. 49.22.

SECTION 510. 20.445 (3) (jL) of the statutes is amended to read:

20.445 (3) (jL) Job access loan repayments. All moneys received from repayments of loans made under s. 49.147 (6), and from the department of revenue under s. 71.93 for delinquent job access loan repayments certified under s. 49.85, for the purpose of making loans under s. 49.147 (6).

SECTION 511. 20.445 (3) (jL) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

20.445 (3) (jL) Job access loan repayments. All moneys received from repayments of loans made under s. 49.147 (6) 49.1471, and from the department of revenue under s. 71.93 for delinquent job access loan repayments certified under s. 49.85, for the purpose of making loans under s. 49.147 (6) 49.1471.

SECTION 512. 20.445 (3) (kx) of the statutes is amended to read:

20.445 (3) (kx) Interagency and intra-agency programs. All moneys received from other state agencies and all moneys received by the department from the
department for the administration of programs and projects relating to economic
support for which received, including administration of the food stamp employment
and training program under s. 49.13, and for local assistance and aids to individuals
and organizations relating to economic support.

**SECTION 513.** 20.445 (3) (ky) of the statutes is repealed.

**SECTION 514.** 20.445 (3) (kz) of the statutes is repealed.

**SECTION 515.** 20.445 (3) (L) of the statutes is amended to read:

20.445 (3) (L) *Welfare Public assistance overpayment recovery and fraud and
error reduction activities and food stamp sanctions.* All moneys received as the
state’s share of the recovery of overpayments and incorrect payments under s. 49.191
(3) (c), 1997 stats., and s. 49.195, 1997 stats., and all moneys transferred under 2001
Wisconsin Act 16, section 9258 (2q), for activities to reduce error and fraud under s.
49.197 relating to the *Aid to Families with dependent children* Aid to Families with
Dependent Children program and the Wisconsin *works* Works program.

**SECTION 516.** 20.445 (3) (m) of the statutes is repealed.

**SECTION 517.** 20.445 (3) (ma) of the statutes is amended to read:

20.445 (3) (ma) *Federal project aids activities.* All moneys received from the
federal government or any of its agencies for specific limited term projects, to be
expended as aids to individuals or organizations or as local assistance for the
purposes specified, and all moneys received from the federal government or any of
its agencies for the state administration of specific limited term projects, to be
expended for the purposes specified.

**SECTION 518.** 20.445 (3) (mb) of the statutes is repealed.

**SECTION 519.** 20.445 (3) (mc) of the statutes, as affected by 2001 Wisconsin Act
16, is amended to read:
20.445 (3) (mc) **Federal block grant operations.** The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for the purposes of operating and administering the block grant programs for which the block grant moneys are received and transferring moneys to the appropriation accounts under ss. s. 20.435 (3) (kx) and (6) (kx) and 20.525 (1) (kb) and (kf). All block grant moneys received for these purposes from the federal government or any of its agencies for the state administration of federal block grants shall be credited to this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds appropriated for a particular fiscal year that are transferred to the next fiscal year and are not spent or encumbered by September 30 of that next fiscal year shall lapse to the general fund on the succeeding October 1.

**SECTION 520.** 20.445 (3) (md) of the statutes is amended to read:

20.445 (3) (md) **Federal block grant aids.** The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and to be transferred to the appropriation accounts under ss. 20.255 (2) (kh) and (kp), 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc), (kd), and (km), and (ky), (5) (ky) (4) (kz), (6) (kx), (7) (ky), and (8) (kx), 20.465 (4) (k), and 20.835 (2) (kf). All block grant moneys received for these purposes from the federal government or any of its agencies, all moneys transferred under 2001 Wisconsin Act 109, section 9223 (17), from the appropriation account under s. 20.435 (7) (o), and all moneys recovered under s. 49.143 (3) shall be credited to this appropriation account.

**SECTION 521.** 20.445 (3) (n) of the statutes is amended to read:

20.445 (3) (n) **Federal program Child support state operations; federal funds.**

All Fifty percent of the amount of federal moneys received as child support incentive
payments that exceeds the maximum specified in s. 49.24 (2) (b), and all moneys
received from the federal government or any of its agencies for activities related to
cchild support, including federal funds for any purpose under s. 49.22 or 49.227 and
for the federal share of any costs associated with receiving and disbursing support
and support–related payments, and for the state administration of continuing
programs those activities, to be expended for the such purposes specified.

SECTION 522. 20.445 (3) (na) of the statutes is amended to read:

20.445 (3) (na) Federal program aids Refugee assistance; federal funds. All
moneys received from the federal government or any of its agencies for continuing
programs to be expended as aids to individuals or organizations for the purposes
specified for refugee assistance and the administration of refugee assistance
programs, to be expended for such purposes.

SECTION 523. 20.445 (3) (nL) of the statutes is amended to read:

20.445 (3) (nL) Federal program Child support local assistance; federal funds.
All moneys received from the federal government or any of its agencies for continuing
programs, except for 50% of the amount of the federal moneys received as child
support incentive payments that exceeds the maximum specified in s. 49.24 (2) (b),
to be expended as local assistance for the purposes specified, except that the
following amounts shall lapse from this appropriation to the general fund: in each
calendar year, 55% of the federal moneys made available to support prosecution of
welfare fraud in this state, as determined by the secretary of administration.

SECTION 524. 20.445 (3) (pm) of the statutes is repealed.

SECTION 525. 20.445 (3) (ps) of the statutes is repealed.

SECTION 526. 20.445 (4) of the statutes is repealed.

SECTION 527. 20.445 (5) (a) of the statutes is amended to read:
20.445 (5) (a) **General program operations; purchased services for clients.** The amounts in the schedule for general program operations, including field services to clients and administrative services, for the purchase of goods and services authorized under ch. 47, and for vocational rehabilitation and other independent living services to persons with disabilities. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds appropriated for a particular fiscal year that are transferred to the next fiscal year and are not spent or encumbered by September 30 of that next fiscal year shall lapse to the general fund on the succeeding October 1.

**SECTION 528.** 20.445 (5) (bm) of the statutes is repealed.

**SECTION 529.** 20.445 (5) (hd) of the statutes is repealed.

**SECTION 530.** 20.445 (5) (he) of the statutes is amended to read:

> 20.445 (5) (he) **Supervised business enterprise.** All moneys not appropriated under par. (hd) received from the charges on net proceeds from the operation of vending machines under s. 47.03 (7) to support the supervised business enterprise program under s. 47.03 (4).

**SECTION 531.** 20.445 (5) (n) of the statutes is amended to read:

> 20.445 (5) (n) **Federal program aids and operations.** All moneys received from the federal government, as authorized by the governor under s. 16.54, for the state administration of continuing programs and all federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals and organizations, to be expended for the purposes specified. The department shall, in each fiscal year, transfer to s. 20.435 (7) (kc) up to $300,000.

**SECTION 532.** 20.445 (5) (na) of the statutes is repealed.
SECTION 533. 20.445 (6) (title) of the statutes is repealed.

SECTION 534. 20.445 (6) (j) of the statutes is repealed.

SECTION 535. 20.445 (6) (ja) of the statutes is repealed.

SECTION 536. 20.445 (6) (jb) of the statutes is repealed.

SECTION 537. 20.445 (6) (k) of the statutes is repealed.

SECTION 538. 20.445 (6) (kb) of the statutes is repealed.

SECTION 539. 20.445 (6) (m) of the statutes is repealed.

SECTION 540. 20.445 (6) (n) of the statutes is repealed.

SECTION 541. 20.445 (6) (u) of the statutes is renumbered 20.445 (1) (u) and amended to read:

20.445 (1) (u) General enrollee operations Education vouchers and youth employment grants; conservation fund. Biennially, from the conservation fund, the amounts in the schedule for the payment of Wisconsin conservation corps enrollee compensation and for the payment of other Wisconsin conservation corps costs for activities authorized education vouchers under s. 106.217 and youth employment grants under s. 106.215 (7) (a) or (c) if those costs are not paid by project sponsors. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers (1m).

SECTION 542. 20.445 (6) (x) of the statutes is repealed.

SECTION 543. 20.445 (6) (y) of the statutes is renumbered 20.445 (1) (y) and amended to read:

20.445 (1) (y) Administrative Youth employment administrative support; conservation fund. From the conservation fund, the amounts in the schedule for the payment of administrative expenses related to the Wisconsin conservation corps program payment of youth employment grants under s. 106.215 (1m).
SECTION 544. 20.445 (7) (title) of the statutes is repealed.

SECTION 545. 20.445 (7) (a) of the statutes is repealed.

SECTION 546. 20.445 (7) (b) of the statutes is renumbered 20.445 (1) (e).

SECTION 547. 20.445 (7) (ef) of the statutes is renumbered 20.445 (1) (ef).

SECTION 548. 20.445 (7) (em) of the statutes is renumbered 20.445 (1) (em).

SECTION 549. 20.445 (7) (ga) of the statutes is repealed.

SECTION 550. 20.445 (7) (kb) of the statutes is renumbered 20.445 (1) (ke).

SECTION 551. 20.445 (7) (kd) of the statutes is renumbered 20.445 (1) (kd).

SECTION 552. 20.445 (7) (kx) of the statutes is renumbered 20.445 (1) (kx).

SECTION 553. 20.445 (7) (m) of the statutes is repealed.

SECTION 554. 20.455 (1) (title) of the statutes is amended to read:

20.455 (1) (title) LEGAL AND REGULATORY SERVICES.

SECTION 555. 20.455 (1) (g) of the statutes is created to read:

20.455 (1) (g) Consumer protection, information, and education. The amounts in the schedule for consumer protection and consumer information and education. All moneys received under s. 100.261 (3) (d) shall be credited to this appropriation account, subject to the limit under s. 100.261 (3) (e).

SECTION 556. 20.455 (1) (j) of the statutes is created to read:

20.455 (1) (j) Telephone solicitation regulation. All moneys received from telephone solicitor registration and registration renewal fees paid under the rules promulgated under s. 100.52 (3) (a) for establishing and maintaining the nonsolicitation directory under s. 100.52 (2).

SECTION 557. 20.455 (2) (kf) of the statutes is created to read:

20.455 (2) (kf) Narcotics purchase appropriation. The amounts in the schedule for the purchase of controlled substances in investigating violations of ch. 961. All
moneys transferred from s. 20.455 (5) (hm) for the purpose of this appropriation shall be credited to this appropriation account.

SECTION 558. 20.455 (2) (kt) of the statutes is repealed.

SECTION 559. 20.455 (2) (ku) of the statutes is repealed.

SECTION 560. 20.455 (5) (hm) of the statutes is created to read:

20.455 (5) (hm) Subrogation payments for awards for victims of crimes. All moneys received from restitution under s. 973.20 (9) (b) to pay for awards to the victims of crime under ch. 949, and for transferring to the appropriation account under s. 20.455 (2) (kf) the amounts in the schedule under s. 20.455 (2) (kf) or the amount of restitution received under this paragraph from cases brought under ch. 961, whichever is less.

SECTION 561. 20.465 (1) (i) of the statutes is created to read:

20.465 (1) (i) Distance learning centers. All moneys received from renting the distance learning centers, for the operation and maintenance of the centers under s. 21.19 (13).

SECTION 562. 20.465 (3) (c) of the statutes is repealed.

SECTION 563. 20.475 (1) (d) of the statutes is amended to read:

20.475 (1) (d) Salaries and fringe benefits. The amounts in the schedule for salaries and fringe benefits of district attorneys and state employees of the working in an office of the district attorney, for payments under s. 978.045 (2) (b) and, beginning in the 1999–2000 fiscal year and ending in the 2003–04 fiscal year, for a payment of $80,000 in each fiscal year toward the department of administration’s unfunded prior service liability under the Wisconsin retirement system that results from granting the creditable service under s. 40.02 (17) (gm).

SECTION 564. 20.485 (1) (gk) of the statutes is amended to read:
20.485 (1) (gk) Institutional operations. The amounts in the schedule for the care of the Wisconsin Veterans Home at King, the Southern Wisconsin Veterans Retirement Center, and veterans facilities, and for the payment of stipends under s. 45.365 (7). All moneys received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this appropriation.

SECTION 565. 20.485 (5) (gm) of the statutes is created to read:

20.485 (5) (gm) Student protection. All moneys received from the fees received under s. 45.54 (10) (c) 4., for the purpose of indemnifying students, parents, or sponsors under s. 45.54 (10) (a).

SECTION 566. 20.505 (1) (a) of the statutes is amended to read:

20.505 (1) (a) General program operations. The amounts in the schedule for administrative supervision, policy and fiscal planning and management and prosecution services and to defray the expenses incurred by the building commission not otherwise appropriated and to administer the civil service system under ch. 230 and for paying awards under s. 230.48 and to defray the expenses of the state employees suggestion board.

SECTION 567. 20.505 (1) (br) of the statutes is created to read:

20.505 (1) (br) Appropriation obligations repayment. The amounts in the schedule to pay debt service costs due in the current fiscal year on appropriation obligations issued under s. 16.527.

SECTION 568. 20.505 (1) (dm) of the statutes is repealed.

SECTION 569. 20.505 (1) (fe) of the statutes is repealed.

SECTION 570. 20.505 (1) (im) of the statutes is amended to read:

20.505 (1) (im) Services to nonstate governmental units. The amounts in the schedule to provide services and to repurchase inventory items that are provided
primarily to purchasers other than state agencies and to transfer to the
appropriation account under par. (kc) the amounts received from school districts
under s. 16.85 (15). All moneys received from the sale of services, other than services
provided under par. (is), and inventory items which are provided primarily to
purchasers other than state agencies shall be credited to this appropriation account.

SECTION 571. 20.505 (1) (iq) of the statutes is created to read:

20.505 (1) (iq) Appropriation obligation proceeds. All moneys received as
proceeds from appropriation obligations that are issued under s. 16.527 to pay part
or all of the state’s unfunded prior service liability under s. 40.05 (2) (b), as
determined by the department of administration, and to provide for reserves and for
expenses of issuance and administration of the appropriation obligations, and any
related obligations incurred under agreements entered into under s. 16.527 (4) (e).
Estimated disbursements under this paragraph shall not be included in the schedule
under s. 20.005.

SECTION 572. 20.505 (1) (is) of the statutes is created to read:

20.505 (1) (is) Information technology and communication services; nonstate
entities. All moneys received from state authorities, units of the federal government,
local governmental units, and entities in the private sector for the provision of
computer, telecommunications, electronic communications, and supercomputer
services under ss. 16.972 (2) (b) and (c), 16.974 (2) and (3), and 115.9995 (2) (d), to be
used for the purpose of providing those services.

SECTION 573. 20.505 (1) (kj) of the statutes is amended to read:

20.505 (1) (kj) Financial services. The amounts in the schedule to provide
accounting, auditing, payroll, and other financial services to state agencies, to
provide banking service cost analysis and cash management assistance for state
agencies and state funds under s. 25.19 (3), and to transfer the amounts appropriated
under s. 20.585 (1) (kb) to the appropriation account under s. 20.585 (1) (kb). All
moneys received from the provision of accounting, auditing, payroll, and other
financial services to state agencies and from assessments paid under s. 25.14 (3)
shall be credited to this appropriation.

SECTION 574. 20.505 (1) (kL) of the statutes is created to read:
20.505 (1) (kL) Printing, mail, communication and information technology
services; agencies. All moneys received from state agencies for the provision of
printing, mail processing, electronic communications, and information technology
development, management, and processing services under ss. 16.971, 16.972,
16.973, and 16.974 (3), to be used for the purpose of providing those services.

SECTION 575. 20.505 (1) (kr) of the statutes is created to read:
20.505 (1) (kr) Legal services. All moneys received from assessments levied
against state agencies under s. 16.004 (15) for legal services provided by the
department of administration.

SECTION 576. 20.505 (1) (n) of the statutes is created to read:
20.505 (1) (n) Federal aid; local assistance. All moneys received from the
federal government for local assistance related to s. 16.27, as authorized by the
governor under s. 16.54, for the purposes of providing local assistance.

SECTION 577. 20.505 (1) (sd) of the statutes is created to read:
20.505 (1) (sd) Revenue obligation proceeds to pay the state’s unfunded prior
service liability under the Wisconsin Retirement System. As a continuing
appropriation, all proceeds from revenue obligations that are issued under subch. II
of ch. 18, as authorized under s. 16.526, and deposited in a fund in the state treasury,
or in an account maintained by a trustee, created under s. 18.57 (1), as authorized
under s. 16.526 (2), to pay part or all of the state’s unfunded prior service liability
under s. 40.05 (2) (b), as determined by the department of administration, and to
provide for reserves and to make ancillary payments, as determined by the building
commission, and the remainder to be transferred to a prior service liability
redemption fund created under s. 18.562 (3). Estimated disbursements under this
paragraph shall not be included in the schedule under s. 20.005.

SECTION 578. 20.505 (1) (sh) of the statutes is created to read:

20.505 (1) (sh)  Excise tax fund -- revenue obligation repayment. From the
excise tax fund, a sum sufficient to pay a prior service liability redemption fund
created under s. 18.562 (3) the amount needed to pay the principal of and premium,
if any, and interest on revenue obligations issued under subch. II of ch. 18, as
authorized under s. 16.526, and to make ancillary payments authorized by the
authorizing resolution for the revenue obligations. Estimated disbursements under
this paragraph shall not be included in the schedule under s. 20.005.

SECTION 579. 20.505 (1) (sm) of the statutes is created to read:

20.505 (1) (sm) Excise tax fund — provision of reserves and payment of ancillary
costs relating to revenue obligations. From the excise tax fund, a sum sufficient to
provide for reserves and for ancillary payments relating to revenue obligations
issued under subch. II of ch. 18, as authorized under s. 16.526 and the resolution
authorizing the revenue obligations.

SECTION 580. 20.505 (1) (sp) of the statutes is created to read:

20.505 (1) (sp) Revenue obligation debt service. From a prior service liability
redemption fund created under s. 18.562 (3), all moneys received by the fund for the
payment of principal of and premium, if any, and interest on revenue obligations
issued under subch. II of ch. 18, as authorized under s. 16.526, and for ancillary
Section 580. Payments authorized by the authorizing resolution for the revenue obligations. All moneys received by the fund are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations under s. 16.526 and setting forth the distribution of funds to be received thereafter. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

Section 581. 20.505 (1) (te) of the statutes is created to read:

20.505 (1) (te) Revenue obligation proceeds to purchase any bonds issued by Badger Tobacco Asset Securitization Corporation. As a continuing appropriation, all proceeds from revenue obligations that are issued under subch. II of ch. 18, as authorized under s. 16.523, and deposited into a fund in the state treasury, or in an account maintained by a trustee, created under s. 18.57 (1), as authorized under s. 16.523 (2), to purchase any bonds issued by Badger Tobacco Asset Securitization Corporation, as determined by the department, to provide for reserves, to make ancillary payments, as determined by the building commission, and the remainder to be transferred to the tobacco settlement bond purchase program repayment fund or a tobacco settlement bond purchase program redemption fund created under s. 18.561 (5), or both, as provided in the authorizing resolution. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

Section 582. 20.505 (1) (tm) of the statutes is created to read:

20.505 (1) (tm) Tobacco settlement bond purchase program repayment fund -- revenue obligation repayment and payment of certain expenses. From the tobacco settlement bond purchase program repayment fund, a sum sufficient to provide for reserves and the making of ancillary payments and to pay a tobacco settlement bond
purchase program redemption fund created under s. 18.561 (5) the amount needed
to pay principal of and premium, if any, and interest on revenue obligations issued
under subch. II of ch. 18, as authorized under s. 16.523, and to make ancillary
payments relating to revenue obligations issued under subch. II of ch. 18, as
authorized under s. 16.523 and the resolution authorizing the revenue obligations,
and for the remainder, as determined in the authorizing resolution, to be transferred
in equal amounts to the tobacco control fund and to the general fund. Estimated
disbursements under this paragraph shall not be included in the schedule under s.
20.005.

**SECTION 583.** 20.505 (1) (tr) of the statutes is created to read:

20.505 (1) (tr) Debt service on revenue obligations used to purchase bonds issued
by Badger Tobacco Asset Securitization Corporation. From a tobacco settlement
bond purchase program redemption fund created under s. 18.561 (5), all moneys
received by the fund for the payment of principal of and premium, if any, and interest
on revenue obligations issued under subch. II of ch. 18, as authorized under s. 16.523,
and for ancillary payments authorized by the authorizing resolution for the revenue
obligations. All moneys received by the fund are irrevocably appropriated in
accordance with subch. II of ch. 18 and further established in resolutions authorizing
the issuance of the revenue obligations under s. 16.523 and setting forth the
distribution of funds to be received thereafter. Estimated disbursements under this
paragraph shall not be included in the schedule under s. 20.005.

**SECTION 584.** 20.505 (4) (dr) of the statutes is repealed.

**SECTION 585.** 20.505 (4) (ec) of the statutes is renumbered 20.143 (1) (et) and
amended to read:
20.143 (1) (et) Volunteer fire fighter and emergency medical technician service award program; general program operations. The amounts in the schedule for general program operations of the volunteer fire fighter and emergency medical technician service award board and to reimburse the department of administration for all services provided by the department to the board.

SECTION 586. 20.505 (4) (er) of the statutes is renumbered 20.143 (1) (eu) and amended to read:

20.143 (1) (eu) Volunteer fire fighter and emergency medical technician service award program; state matching awards. A sum sufficient to make the payments required under s. 16.25 560.9813 (3) (d). The amount appropriated under this paragraph may not exceed $2,000,000 in a fiscal year.

SECTION 587. 20.505 (4) (h) of the statutes is amended to read:

20.505 (4) (h) Program services. The amounts in the schedule to carry out the responsibilities of divisions, commissions, and boards attached to the department of administration, other than the board on aging and long-term care, the adolescent pregnancy prevention and pregnancy services board, and the public records board, and to carry out the responsibilities of special and executive committees. All moneys received from fees which are authorized by law or administrative rule to be collected by any division, board or commission attached to the department, other than the board on aging and long-term care, the adolescent pregnancy prevention and pregnancy services board, and the public records board, and all moneys received from fees that are authorized by law or executive order to be collected by any special or executive committee shall be credited to this appropriation account and used to carry out the purposes for which collected.

SECTION 588. 20.505 (4) (mr) of the statutes is repealed.
SECTION 589. 20.505 (6) (j) 12. of the statutes is amended to read:

20.505 (6) (j) 12. The amount transferred to s. 20.530 sub. (1) (kq) shall be the amount in the schedule under s. 20.530 sub. (1) (kq).

SECTION 590. 20.505 (6) (kq) of the statutes is amended to read:

20.505 (6) (kq) County and tribal law enforcement services assistance. The amounts in the schedule to provide grants to counties Indian tribes for law enforcement operations under s. 16.964 (6) and to provide grants to counties for law enforcement services under s. 16.964 (7). All moneys transferred from the appropriation account under sub. (8) (hm) 15d. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 sub. (8) (hm).

SECTION 591. 20.505 (6) (ks) of the statutes is repealed.

SECTION 592. 20.505 (6) (mb) of the statutes is created to read:

20.505 (6) (mb) Federal aid, homeland security. All moneys received from the federal government, as authorized by the governor under s. 16.54, for homeland security programs.

SECTION 593. 20.505 (7) (title) of the statutes is renumbered 20.143 (2) (title).

SECTION 594. 20.505 (7) (a) of the statutes is renumbered 20.143 (2) (a) and amended to read:

20.143 (2) (a) General program operations. The amounts in the schedule for general program operations under subch. II of ch. 16 X of ch. 560.

SECTION 595. 20.505 (7) (b) of the statutes is renumbered 20.143 (2) (b) and amended to read:
20.143 (2) (b) Housing grants and loans; general purpose revenue. Biennially, the amounts in the schedule for grants and loans under s. 16.33 560.9803 and for grants under s. 16.336 560.9805.

SECTION 596. 20.505 (7) (c) of the statutes is renumbered 20.143 (2) (c) and amended to read:

20.143 (2) (c) Payments to designated agents. The amounts in the schedule for payments for services provided by agents designated under s. 16.334 560.9804 (2), in accordance with agreements entered into under s. 16.334 560.9804 (1).

SECTION 597. 20.505 (7) (fm) of the statutes is renumbered 20.143 (2) (fm) and amended to read:

20.143 (2) (fm) Shelter for homeless and transitional housing grants. The amounts in the schedule for transitional housing grants under s. 16.339 560.9806 and for grants to agencies and shelter facilities for homeless individuals and families as provided under s. 16.352 560.9808. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 598. 20.505 (7) (h) of the statutes is renumbered 20.143 (2) (h) and amended to read:

20.143 (2) (h) Funding for the homeless. All moneys received from interest on real estate trust accounts under s. 452.13 for grants under s. 16.351 560.9807, and all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter facilities for homeless individuals and families under s. 16.352 560.9808 (2) (a) and (b).
SECTION 599. 20.505 (7) (k) of the statutes is renumbered 20.143 (2) (k) and amended to read:

20.143 (2) (k) **Sale of materials or services.** All moneys received from the sale of materials or services related to housing assistance under subch. II of ch. 16 X of ch. 560 to the department or other state agencies, for the purpose of providing those materials and services.

SECTION 600. 20.505 (7) (kg) of the statutes is renumbered 20.143 (2) (kg) and amended to read:

20.143 (2) (kg) **Housing program services.** All moneys received from other state agencies for housing program services, for that the purpose of providing housing program services.

SECTION 601. 20.505 (7) (km) of the statutes is renumbered 20.505 (1) (kn) and amended to read:

20.505 (1) (kn) **Weatherization assistance.** All moneys transferred from the appropriation under par. (o) (mb) and all moneys received from other state agencies or the department, for the weatherization program under s. 16.39 16.26, for that purpose.

SECTION 602. 20.505 (7) (m) of the statutes is renumbered 20.143 (2) (m) and amended to read:

20.143 (2) (m) **Federal aid; state operations.** All moneys received from the federal government for state operations related to housing assistance under subch. II of ch. 16 X of ch. 560, as authorized by the governor under s. 16.54, for the purposes of state operations.

SECTION 603. 20.505 (7) (n) of the statutes is renumbered 20.143 (2) (n) and amended to read:
20.143 (2) (n) Federal aid; local assistance. All moneys received from the federal government for local assistance related to housing assistance under subch. II of ch. 16 X of ch. 560, as authorized by the governor under s. 16.54, for the purposes of providing local assistance.

**SECTION 604.** 20.505 (7) (o) of the statutes is renumbered 20.143 (2) (o) and amended to read:

20.143 (2) (o) Federal aid; individuals and organizations. All moneys received from the federal government for aids to individuals and organizations related to housing assistance under subch. II of ch. 16 X of ch. 560, as authorized by the governor under s. 16.54, for the purpose of providing aids to individuals and organizations.

**SECTION 605.** 20.505 (8) (hm) (intro.) of the statutes is amended to read:

20.505 (8) (hm) (intro.) Indian gaming receipts. All moneys received as Indian gaming receipts, as defined in s. 569.01 (1m) required to be credited to this appropriation under s. 569.06, all moneys transferred under 2001 Wisconsin Act 16, sections 9201 (5mk), 9205 (1mk), 9210 (3mk), 9223 (5mk), 9224 (1mk), 9225 (1mk), 9231 (1mk), 9237 (4mk), 9240 (1mk), 9251 (1mk), 9256 (1mk), 9257 (2mk), and 9258 (2mk), and all moneys that revert to this appropriation account from the appropriation accounts specified in subds. 1c. to 19., less the amounts appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of annually transferring the following amounts:

**SECTION 606.** 20.505 (8) (hm) 1f. of the statutes is amended to read:

20.505 (8) (hm) 1f. The amount transferred to the conservation fund shall be $2,500,000.

**SECTION 607.** 20.505 (8) (hm) 4i. of the statutes is amended to read:
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20.505 (8) (hm) 4i. The amount transferred to s. 20.235 (1) 20.285 (7) (k) shall be the amount in the schedule under s. 20.235 (1) 20.285 (7) (k).

SECTION 608. 20.505 (8) (hm) 6o. of the statutes is repealed.

SECTION 609. 20.505 (8) (hm) 8j. of the statutes is amended to read:

20.505 (8) (hm) 8j. The amount transferred to s. 20.370 (4) (4) (jk) shall be the amount in the schedule under s. 20.370 (4) (4) (jk).

SECTION 610. 20.505 (8) (hm) 10. of the statutes is amended to read:

20.505 (8) (hm) 10. The amount transferred to s. 20.235 (1) 20.285 (7) (km) shall be the amount in the schedule under s. 20.235 (1) 20.285 (7) (km).

SECTION 611. 20.505 (8) (hm) 15. of the statutes is repealed.

SECTION 612. 20.505 (8) (hm) 15g. of the statutes is repealed.

SECTION 613. 20.505 (8) (hm) 15h. of the statutes is repealed.

SECTION 614. 20.505 (8) (hm) 18dr. of the statutes is repealed.

SECTION 615. 20.505 (8) (hm) 18j. of the statutes is amended to read:

20.505 (8) (hm) 18j. The amount transferred to s. 20.445 (4) (4) (kd) shall be the amount in the schedule under s. 20.445 (4) (4) (kd).

SECTION 616. 20.510 (1) (bm) (title) of the statutes is amended to read:

20.510 (1) (bm) (title) Training of chief inspectors; general purpose revenue.

SECTION 617. 20.510 (1) (jm) of the statutes is created to read:

20.510 (1) (jm) Training of chief inspectors; program revenue. All moneys received from municipalities for the costs of training of chief inspectors under s. 7.31, to be used for that purpose.

SECTION 618. 20.510 (1) (x) of the statutes is created to read:
20.510 (1) (x) Federal aid. From the election administration fund, all moneys received from the federal government, as authorized by the governor under s. 16.54, to be used for election administration costs under P.L. 107–252.

SECTION 619. 20.512 (intro.) of the statutes is repealed.

SECTION 620. 20.512 (1) (title) of the statutes is repealed.

SECTION 621. 20.512 (1) (a) of the statutes is repealed.

SECTION 622. 20.512 (1) (i) of the statutes is amended to read:

20.512 (1) (i) Services to nonstate governmental units. The amounts in the schedule for the purpose of funding personnel services to nonstate governmental units under s. 230.05 (8), including services provided under ss. 49.33, 49.78 (5) and 59.26 (8) (a). All moneys received from the sale of these services shall be credited to this appropriation account.

SECTION 623. 20.512 (1) (i) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is renumbered 20.505 (1) (ic).

SECTION 624. 20.512 (1) (j) of the statutes is repealed.

SECTION 625. 20.512 (1) (jm) of the statutes is renumbered 20.505 (1) (jc).

SECTION 626. 20.512 (1) (k) of the statutes is renumbered 20.505 (1) (k).

SECTION 627. 20.512 (1) (ka) of the statutes is renumbered 20.505 (1) (kp).

SECTION 628. 20.512 (1) (km) of the statutes is renumbered 20.505 (1) (ko).

SECTION 629. 20.512 (1) (m) of the statutes is repealed.

SECTION 630. 20.512 (1) (pz) of the statutes is repealed.

SECTION 631. 20.512 (2) of the statutes is repealed.

SECTION 632. 20.515 (2) (g) of the statutes is amended to read:

20.515 (2) (g) Private employer health care coverage plan. All moneys received under subch. X of ch. 40 from employers who elect to participate in the private
employer health care coverage program under subch. X of ch. 40 and from any other
person under s. 40.98 (2) (h), for the costs of designing, marketing, and contracting
for or providing administrative services for the program and for lapsing to the
general fund the amounts required under s. 40.98 (6m).

SECTION 633. 20.525 (1) (kb) of the statutes is repealed.

SECTION 634. 20.525 (1) (kf) of the statutes is repealed.

SECTION 635. 20.530 (intro.) of the statutes is repealed.

SECTION 636. 20.530 (1) (title) of the statutes is repealed.

SECTION 637. 20.530 (1) (g) of the statutes is amended to read:

20.530 (1) (g) Services. All moneys received from the sources specified in ss.
22.05 (2) (b) and (c), 22.09 (2), and 44.73 115.9995 (2) (d), to provide computer
services, telecommunications services, and supercomputer services to state
authorities, units of the federal government, local governmental units, and entities
in the private sector, the source specified in s. 22.09 (3), to provide electronic
communications services to state authorities, units of the federal government, local
governmental units, and entities in the private sector, the source specified in s. 22.09
(3), to provide electronic communications services to state agencies, the sources
specified in ss. 22.05 and 22.07, to provide printing, mail processing, and information
technology processing services to state agencies, and the source specified in s. 22.03
(11), to provide information technology development and management services to
executive branch agencies under s. 22.03.

SECTION 638. 20.530 (1) (g) of the statutes, as affected by 2003 Wisconsin Act
.... (this act), is repealed.

SECTION 639. 20.530 (1) (ir) of the statutes is renumbered 20.505 (1) (ir).
SECTION 640. 20.530 (1) (ja) of the statutes is renumbered 20.505 (1) (ja) and amended to read:

20.505 (1) (ja) Justice information systems. The amounts in the schedule for the development and operation of automated justice information systems under s. 22.03 16.971 (9). Two-ninths of the moneys received under s. 814.635 (1) shall be credited to this appropriation account.

SECTION 641. 20.530 (1) (ke) of the statutes is amended to read:

20.530 (1) (ke) Telecommunications services; state agencies; veterans services. The amounts in the schedule to provide telecommunications services to state agencies and to provide veterans services under s. 22.07 (9). All moneys received from the provision of telecommunications services to state agencies under ss. 22.05 and 22.07 or under s. 44.73 115.9995 (2) (d), other than moneys received and disbursed under s. 20.225 (1) (kb), shall be credited to this appropriation account.

SECTION 642. 20.530 (1) (ke) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is renumbered 20.505 (1) (ke) and amended to read:

20.505 (1) (ke) Telecommunications services; state agencies; veterans services. The amounts in the schedule to provide telecommunications services to state agencies and to provide veterans services under s. 22.07 16.973 (9). All moneys received from the provision of telecommunications services to state agencies under ss. 22.05 and 22.07 16.972 and 16.973 or under s. 115.9995 (2) (d), other than moneys received and disbursed under s. 20.225 (1) (kb), shall be credited to this appropriation account.

SECTION 643. 20.530 (1) (kp) of the statutes is repealed.

SECTION 644. 20.530 (1) (kq) of the statutes is renumbered 20.505 (1) (kq) and amended to read:
20.505 (1) (kq) Justice information systems development, operation and maintenance, and assistance. The amounts in the schedule for the purpose of developing, operating and maintaining automated justice information systems under s. 22.03 16.971 (9). All moneys transferred from the appropriation account under s. 20.505 sub. (6) (j), (kt), and (m) shall be credited to this appropriation account.

SECTION 645. 20.530 (1) (m) of the statutes is repealed.

SECTION 646. 20.536 (1) (k) of the statutes is amended to read:

20.536 (1) (k) General program operations. All moneys received from assessments made under s. 25.187 (2) and from charges made under ss. 25.16 (8) and 25.17 (9) for the purpose of conducting general program operations.

SECTION 647. 20.547 of the statutes is repealed.

SECTION 648. 20.585 (1) (jt) of the statutes is repealed.

SECTION 649. 20.585 (1) (km) of the statutes is repealed.

SECTION 650. 20.585 (2) (a) of the statutes is repealed.

SECTION 651. 20.585 (2) (am) of the statutes is repealed.

SECTION 652. 20.585 (2) (tm) of the statutes is amended to read:

20.585 (2) (tm) Administrative expenses; college savings program. From the college savings program trust fund, all moneys received from the vendor of the college savings program under s. 16.255 (3) (a) for the administrative expenses of the college savings program under s. 14.64, including the expense of promoting the program.

SECTION 653. 20.680 (2) (gc) of the statutes is created to read:

20.680 (2) (gc) Court interpreter training and certification. All moneys received from fees imposed under s. 885.38 (2), for court interpreter training and certification.
SECTION 654. 20.765 (1) (a) of the statutes is amended to read:

20.765 (1) (a) General program operations — assembly. A sum sufficient to carry out the functions of the assembly, excluding expenses for legislative documents. No moneys may be expended or encumbered under this appropriation before the effective date of the biennial budget act for the 2005–07 fiscal biennium.... [revisor inserts date], other than moneys encumbered under this appropriation before the effective date of this paragraph .... [revisor inserts date].

SECTION 655. 20.765 (1) (b) of the statutes is amended to read:

20.765 (1) (b) General program operations — senate. A sum sufficient to carry out the functions of the senate, excluding expenses for legislative documents. No moneys may be expended or encumbered under this appropriation before the effective date of the biennial budget act for the 2005–07 fiscal biennium .... [revisor inserts date], other than moneys encumbered under this appropriation before the effective date of this paragraph .... [revisor inserts date].

SECTION 656. 20.765 (1) (d) of the statutes is amended to read:

20.765 (1) (d) Legislative documents. A sum sufficient to pay legislative expenses for acquisition, production, retention, sales and distribution of legislative documents authorized under ss. 13.17, 13.90 (1) (g), 13.92 (1) (e), 13.93 (3) and 35.78 (1) or the rules of the senate and assembly, except as provided in sub. (3) (em). No moneys may be expended or encumbered under this appropriation before the effective date of the biennial budget act for the 2005–07 fiscal biennium .... [revisor inserts date], other than moneys encumbered under this appropriation before the effective date of this paragraph .... [revisor inserts date].

SECTION 657. 20.765 (3) (fa) of the statutes is amended to read:
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20.765 (3) (fa)Membership in national associations. A sum sufficient to be disbursed under s. 13.90 (4) for payment of the annual fees entitling the legislature to membership in national organizations including, without limitation because of enumeration, the National Conference of State Legislatures, the National Conference of Commissioners on Uniform State Laws and the National Committee on Uniform Traffic Laws and Ordinances. No moneys may be expended or encumbered under this appropriation before the effective date of the biennial budget act for the 2005–07 fiscal biennium .... [revisor inserts date], other than moneys encumbered under this appropriation before the effective date of this paragraph .... [revisor inserts date].

SECTION 658. 20.765 (5) of the statutes is created to read:

20.765 (5) Legislative operations costs. A sum sufficient for the purposes specified in the appropriations under subs. (1), (2), (3) (a) to (fa), and (4), as allocated by the joint committee on legislative organization under 2003 Wisconsin Act .... (this act), section 9133 (2) or authorized under 2003 Wisconsin Act .... (this act), section 9133 (3). No moneys may be expended under this appropriation on or after the effective date of the biennial budget act for the 2005–07 fiscal biennium .... [revisor inserts date], other than moneys encumbered under this appropriation before the effective date of the biennial budget act for the 2005–07 fiscal biennium .... [revisor inserts date].

SECTION 659. 20.835 (1) (d) of the statutes is amended to read:

20.835 (1) (d) Shared revenue account. A sum sufficient, less any amount appropriated under par. (t), to meet the requirements of the shared revenue account established under s. 79.01 (2) to provide for the distributions from the shared
revenue account to counties, towns, villages and cities under ss. 79.03, 79.04 and 79.06.

**SECTION 660.** 20.835 (1) (d) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is repealed and recreated to read:

20.835 (1) (d) *Shared revenue account.* A sum sufficient to meet the requirements of the shared revenue account established under s. 79.01 (2) to provide for the distributions from the shared revenue account to counties, towns, villages and cities under ss. 79.03, 79.04 and 79.06.

**SECTION 661.** 20.835 (1) (db) of the statutes is amended to read:

20.835 (1) (db) *County and municipal aid account.* Beginning in 2004, a sum sufficient, less any amount appropriated under pars. (t) and (u), to make payments to counties, towns, villages, and cities under ss. s. 79.035 and 79.036.

**SECTION 662.** 20.835 (1) (db) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is repealed and recreated to read:

20.835 (1) (db) *County and municipal aid account.* Beginning in 2004, a sum sufficient to make payments to counties, towns, villages, and cities under s. 79.035.

**SECTION 663.** 20.835 (1) (t) of the statutes is created to read:

20.835 (1) (t) *Shared revenue and county and municipal aid; transportation fund.* From the transportation fund, the amounts in the schedule to provide for the distributions to counties, towns, villages, and cities under ss. 79.03, 79.035, 79.04, and 79.06. No moneys may be encumbered from this appropriation account after June 30, 2005.

**SECTION 664.** 20.835 (1) (t) of the statutes, as created by 2003 Wisconsin Act .... (this act), is repealed.

**SECTION 665.** 20.835 (1) (u) of the statutes is created to read:
20.835 (1) (u) County and municipal aid; utility public benefits fund. From the utility public benefits fund, the amounts in the schedule to provide for the distributions to counties, towns, villages, and cities under s. 79.035. No moneys may be encumbered from this appropriation account after June 30, 2005.

Section 666. 20.835 (1) (u) of the statutes, as created by 2003 Wisconsin Act .... (this act), is repealed.

Section 667. 20.835 (2) (f) of the statutes is amended to read:

20.835 (2) (f) Earned income tax credit. A sum sufficient to pay the excess claims approved under s. 71.07 (9e) that are not paid under par. pars. (kf) and (r).

Section 668. 20.835 (2) (r) of the statutes is created to read:

20.835 (2) (r) Earned income tax credit; utility public benefits fund. From the utility public benefits fund under s. 25.96, the amounts in the schedule to be used to pay the claims approved under s. 71.07 (9e).

Section 669. 20.855 (1) (ch) of the statutes is repealed.

Section 670. 20.855 (3) (a) of the statutes is repealed.

Section 671. 20.865 (1) (a) of the statutes is amended to read:

20.865 (1) (a) Judgments and legal expenses, and worker’s compensation benefits. A sum sufficient to pay for legal expenses under s. 59.32 (3), for costs under ss. 227.485 and 814.245 and for the costs of judgments, orders and settlements of actions, appeals and complaints under subch. II of ch. 111 or subch. II or III of ch. 230, and those judgments, awards, orders and settlements under ss. 21.13, 165.25 (6), 775.04 and 895.46 that are not otherwise reimbursable as liability costs under par. (fm), and for payments made under s. 166.03 (8) (f). Release of moneys under this paragraph pursuant to any settlement agreement, whether or not incorporated into an order, is subject to approval of the attorney general.
**SECTION 672.** 20.865 (2) (a) of the statutes is repealed and recreated to read:

20.865 (2) (a) *Private facility rental increases and state-owned office rent supplement.* The amounts in the schedule to cover costs in excess of budgeted amounts for rental increases under leases of private facilities occupied by state agencies and for increased rental rates approved by the building commission in state-owned buildings.

**SECTION 673.** 20.865 (2) (ag) of the statutes is repealed.

**SECTION 674.** 20.865 (2) (am) of the statutes is amended to read:

20.865 (2) (am) *Space management and child care.* The amounts in the schedule to finance the unbudgeted costs of remodeling, moving, additional rental costs, and move-related vacant space costs, except costs financed under s. 20.855 (3) (a), resulting from relocations of state agencies directed by the department of administration, and the unbudgeted costs of assessments for child care facilities under s. 16.841 (4) incurred by state agencies.

**SECTION 675.** 20.865 (2) (g) of the statutes is repealed and recreated to read:

20.865 (2) (g) *Private facility rental increases and state-owned office rent supplement; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement appropriations to state agencies to cover costs in excess of budgeted amounts for rental increases under leases of private facilities occupied by state agencies and for increased rental rates approved by the building commission in state-owned buildings.

**SECTION 676.** 20.865 (2) (gg) of the statutes is repealed.

**SECTION 677.** 20.865 (2) (q) of the statutes is repealed and recreated to read:

20.865 (2) (q) *Private facility rental increases and state-owned office rent supplement; segregated revenues.* From the appropriate segregated funds, a sum
sufficient to supplement the appropriations to state agencies to cover costs in excess of budgeted amounts for rental increases under leases of private facilities occupied by state agencies and for increased rental rates approved by the building commission in state-owned buildings.

**SECTION 678.** 20.865 (2) (qg) of the statutes is repealed.

**SECTION 679.** 20.866 (intro.) of the statutes is amended to read:

20.866 **Public debt.** (intro.) There are irrevocably appropriated to the bond security and redemption fund and to the capital improvement fund, as a first charge upon all revenues of this state, sums sufficient for payment of principal, interest and, premium due, if any, on and payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any public debt contracted under subchs. I and IV of ch. 18.

**SECTION 680.** 20.866 (1) (u) of the statutes is amended to read:

20.866 (1) (u) **Principal repayment and interest.** A sum sufficient from moneys appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e), 20.255 (1) (d), 20.275 (1) and (4) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd), and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar), (at), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (cg), (ea), (eq), and (er), 20.395 (6) (af), (aq), (ar), and (at), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt), (g), (h), (i), and (q) for the payment of principal and interest on, premium due, if any, and payment due, if any, under an agreement or ancillary arrangement...
entered into pursuant to s. 18.06 (8) (a) with respect to any public debt contracted under subchs. I and IV of ch. 18.

**SECTION 680.** 20.866 (2) (te) of the statutes is amended to read:

20.866 (2) (te) *Natural resources; nonpoint source grants.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide funds for nonpoint source water pollution abatement projects under s. 281.65. The state may contract public debt in an amount not to exceed $75,763,600 $85,310,400 for this purpose.

**SECTION 681.** 20.866 (2) (tg) of the statutes is amended to read:

20.866 (2) (tg) *Natural resources; environmental repair.* From the capital improvement fund, a sum sufficient for the department of natural resources to fund investigations and remedial action under s. 292.11 (7) (a) or 292.31 and remedial action under s. 281.83 and for payment of this state’s share of environmental repair that is funded under 42 USC 6991 to 6991i or 42 USC 9601 to 9675. The state may contract public debt in an amount not to exceed $48,000,000 $54,000,000 for this purpose. Of this amount, $7,000,000 is allocated for remedial action under s. 281.83.

**SECTION 682.** 20.866 (2) (th) of the statutes is amended to read:

20.866 (2) (th) *Natural resources; urban nonpoint source cost−sharing.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide cost−sharing grants for urban nonpoint source water pollution abatement and storm water management projects under s. 281.66 and to provide municipal flood control and riparian restoration cost−sharing grants under s. 281.665. The state may contract public debt in an amount not to exceed $17,700,000 $22,400,000 for this purpose. Of this amount, $500,000 is allocated in fiscal biennium 2001–03 for dam rehabilitation grants under s. 31.387.
SECTION 684. 20.866 (2) (uv) of the statutes is amended to read:

20.866 (2) (uv) Transportation, harbor improvements. From the capital improvement fund, a sum sufficient for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed $25,000,000 $28,000,000 for this purpose.

SECTION 685. 20.866 (2) (uw) of the statutes is amended to read:

20.866 (2) (uw) Transportation; rail acquisitions and improvements. From the capital improvement fund, a sum sufficient for the department of transportation to acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d). The state may contract public debt in an amount not to exceed $28,000,000 $32,500,000 for these purposes.

SECTION 686. 20.866 (2) (we) of the statutes is amended to read:

20.866 (2) (we) Agriculture; soil and water. From the capital improvement fund, a sum sufficient for the department of agriculture, trade and consumer protection to provide for soil and water resource management under s. 92.14. The state may contract public debt in an amount not to exceed $13,575,000 $20,575,000 for this purpose.

SECTION 687. 20.866 (2) (xe) of the statutes is amended to read:

20.866 (2) (xe) Building commission; refunding tax−supported and self−amortizing general obligation debt incurred before June 30, 2003 2005. From the capital improvement fund, a sum sufficient to refund the whole or any part of any unpaid indebtedness used to finance tax−supported or self−amortizing facilities. The state may contract public debt in an amount not to exceed $75,000,000 $425,000,000 for this purpose. Such indebtedness shall be construed to include any...
premium and interest payable with respect thereto. Debt incurred by this paragraph shall be incurred before June 30, 2003, but only pursuant to a request by the secretary of administration under s. 16.406, and shall be repaid under the appropriations providing for the retirement of public debt incurred for tax-supported and self-amortizing facilities in proportional amounts to the purposes for which the debt was refinanced.

**SECTION 688.** 20.866 (2) (zc) of the statutes is amended to read:

> 20.866 (2) (zc) **Technology for educational achievement in Wisconsin board Public instruction; school district educational technology infrastructure financial assistance.** From the capital improvement fund, a sum sufficient for the technology for educational achievement in Wisconsin board department of public instruction to provide educational technology infrastructure financial assistance to school districts under s. 44.72 (4) 115.999. The state may contract public debt in an amount not to exceed $100,000,000 for this purpose.

**SECTION 689.** 20.866 (2) (zcm) of the statutes is amended to read:

> 20.866 (2) (zcm) **Technology for educational achievement in Wisconsin board Public instruction; public library educational technology infrastructure financial assistance.** From the capital improvement fund, a sum sufficient for the technology for educational achievement in Wisconsin board department of public instruction to provide educational technology infrastructure financial assistance to public library boards under s. 44.72 (4) 115.999. The state may contract public debt in an amount not to exceed $3,000,000 for this purpose.

**SECTION 690.** 20.866 (2) (zo) of the statutes is amended to read:

> 20.866 (2) (zo) **Veterans affairs; refunding bonds.** From the funds and accounts under s. 18.04 (6) (b), a sum sufficient for the department of veterans affairs to fund,
refund, or acquire the whole or any part of public debt as set forth in s. 18.04 (5). The
department of building and community affairs shall contract public debt in an amount not to exceed
$665,000,000 for these purposes, exclusive of any amount issued to
fund public debt contracted under par. (zn).

SECTION 691. 20.901 (1) (b) of the statutes is amended to read:

20.901 (1) (b) Notwithstanding ss. 230.047 and 230.29, in the case of an
emergency which is the result of natural or human causes, state agencies may
cooperate to maintain required state services through the temporary interchange of
employees. The interchange of employees may be of 2 types: where an appointing
authority declares an emergency in writing to the governor; or where the governor
or his or her designee declares an emergency. If an appointing authority declares an
emergency, the interchange of employees is voluntary on the part of those employees
designated by the sending state agency as available for interchange. If the governor
or his or her designee declares an emergency, the governor may require a temporary
interchange of employees. An emergency which is declared by an appointing
authority may not exceed 72 hours unless an extension is approved by the governor
or his or her designee. An employee who is assigned temporary interchange duties
may be required to perform work which is not normally performed by the employee
or described in his or her position classification. An interchange employee shall be
paid at the rate of pay for the employee’s permanent job unless otherwise authorized
by the secretary of employment relations administration. State agencies receiving
employees on interchanges shall keep appropriate records and reimburse the
sending state agencies for authorized salaries and expenses. The secretary of
employment relations administration may institute temporary pay administration
policies as required to facilitate the handling of such declared emergencies.
SECTION 692. 20.906 (1) of the statutes is amended to read:

20.906 (1) FREQUENCY OF DEPOSITS. Unless otherwise provided by law, all moneys collected or received by any state agency for or in behalf of the state or which is are required by law to be turned into the state treasury shall be deposited in or transmitted to the state treasury at least once a week and also at other times as required by the governor or the state treasurer secretary of administration and shall be accompanied by a statement in such form as the treasurer secretary of administration may prescribe showing the amount of such collection and from whom and for what purpose or on what account the same was received. All moneys paid into the treasury shall be credited to the general purpose revenues of the general fund unless otherwise specifically provided by law.

SECTION 693. 20.906 (4) of the statutes is amended to read:

20.906 (4) PENALTIES. If any state agency fails to make such deposits of money, or to make such reports as are required by this section, the department of administration, with the approval of the governor, shall withhold all moneys due such state agency until this section is complied with; and upon such failure to make such deposits of money, the officer or employee so failing shall be liable to the state treasurer secretary of administration for an amount equal to the interest upon the moneys so withheld from deposit at the same rate as that received by the state upon moneys held in the state investment fund, for the period for which such deposit is withheld; and such interest shall be a charge against the officer or employee and shall be deducted from that person’s compensation.

SECTION 694. 20.906 (5) of the statutes is amended to read:

20.906 (5) CONDITIONS PRECEDENT TO RELEASE OF APPROPRIATIONS. All appropriations from state revenues for any state agency, are made on the express
conditions that such state agency pays all moneys received by it into the state
treasury within one week of receipt or as often as otherwise directed by the governor
or state treasurer secretary of administration, and conforms with ss. 16.53 (1) and
20.002, regardless of the type of appropriations made to the state agency. Upon
failure to comply with this subsection, the department of administration shall refuse
to draw its warrant and the state treasurer shall refuse to pay any moneys
appropriated to the state agency from state revenues until the state agency complies
with this subsection. Upon failure or refusal to so comply, after due notice received
from the department of administration, any appropriations from state revenues to
the state agency shall permanently revert to the fund from which appropriated.

SECTION 695. 20.906 (6) of the statutes is amended to read:

20.906 (6) DIRECT DEPOSITS. The governor or the state treasurer secretary of
administration may require state agencies making deposits under this section to
make direct deposits to any depository designated by the depository selection board,
if such a requirement is advantageous or beneficial to this state.

SECTION 696. 20.907 (2) of the statutes is amended to read:

20.907 (2) CUSTODY AND ACCOUNTING. The state treasurer secretary of
administration shall have custody of all such gifts, grants, and bequests and devises
in the form of cash or securities. The department of administration shall keep a
separate account for each state agency receiving such gifts, grants, and bequests and
devises, including therein investments, accumulations, payments, and any other
transaction pertaining to such moneys. If no state agency is designated by the donor
to carry out the purposes of the conveyance, the joint committee on finance shall
appoint a state agency to act as trustee.

SECTION 697. 20.907 (5) (a) of the statutes is amended to read:
20.907 (5) (a) Except as provided in par. (b), all moneys which may come into the possession of any officer or employee of a state agency by virtue of his or her office or employment shall be deposited with the state treasurer secretary of administration, regardless of the ownership thereof.

SECTION 698. 20.907 (5) (b) of the statutes is amended to read:

20.907 (5) (b) Paragraph (a) does not apply whenever the disposition of moneys is otherwise provided by law or whenever a state agency receives moneys incident to an authorized activity which are not appropriated and not directed to be deposited with the state treasurer secretary of administration and the agency promulgates a rule which prescribes procedures in accordance with ch. 34 for the deposit of the moneys.

SECTION 699. 20.907 (5) (c) of the statutes is amended to read:

20.907 (5) (c) The state treasurer secretary of administration shall establish an account for moneys received under par. (a) from each source and shall make payments and refunds from each account authorized under par. (e) as directed by the state agency depositing the moneys, unless otherwise provided by law. Each payment shall be made upon submission of a claim audited under s. 16.53 and paid by voucher from the appropriation under s. 20.855 (6) (j) in accordance with procedures established by the secretary of administration.

SECTION 700. 20.907 (5) (d) of the statutes is amended to read:

20.907 (5) (d) Each account under this subsection shall be established in the appropriate fund, as determined by the state treasurer secretary of administration.

SECTION 701. 20.907 (5) (e) 12e. of the statutes is created to read:

20.907 (5) (e) 12e. Credit card interchange and association fees.

SECTION 702. 20.907 (5) (e) 12r. of the statutes is created to read:
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20.907 (5) (e) 12r. Transfers from the income account of the state investment fund, to pay bank service costs under s. 34.045 (1) (b).

SECTION 703. 20.912 (1) of the statutes is amended to read:

20.912 (1) CANCELLATION OF OUTSTANDING CHECKS AND SHARE DRAFTS. If any check, share draft, or other draft drawn and issued by the state treasurer upon the funds of the state in any state depository is not paid within the time period designated by the state treasurer secretary of administration under s. 14.58 (12) 16.401 (10) as shown on the check or other draft, the state treasurer secretary of administration shall cancel the check or other draft and credit the amount thereof to the fund on which it is drawn.

SECTION 704. 20.912 (3) of the statutes is amended to read:

20.912 (3) REISSUE OF CANCELED CHECKS, SHARE DRAFTS, AND OTHER DRAFTS. Subject to sub. (2), when the payee or person entitled to any check, share draft, or other draft canceled under sub. (1) by the state treasurer, or the payee or person entitled to any warrant so canceled by the department of administration, demands such check, share draft, other draft, or warrant or payment thereof, the department of administration shall issue a new warrant therefor, to be paid from the appropriate appropriation account under s. 20.855 (1) (bm), (gm), or (rm).

SECTION 705. 20.912 (4) of the statutes is amended to read:

20.912 (4) INSOLVENT DEPOSITORIES. When the bank, savings and loan association, savings bank, or credit union on which any check, share draft, or other draft is drawn by the state treasurer before payment of such check, share draft, or other draft becomes insolvent or is taken over by the division of banking, division of savings institutions, the federal home loan bank board, the U.S. office of thrift supervision, the federal deposit insurance corporation, the resolution trust
corporation, the office of credit unions, the administrator of federal credit unions, or the U.S. comptroller of the currency, the state treasurer shall on the demand of the person in whose favor such check, share draft, or other draft was drawn and upon the return to the treasurer of such check, share draft, or other draft issue a replacement for the same amount.

**SECTION 706.** 20.912 (4) of the statutes, as affected by 2003 Wisconsin Act ..., (this act), is amended to read:

20.912 (4) **INSOLVENT DEPOSITORIES.** When the bank, savings and loan association, savings bank, or credit union on which any check, share draft, or other draft is drawn by the state treasurer secretary of administration before payment of such check, share draft, or other draft becomes insolvent or is taken over by the division of banking, the federal home loan bank board, the U.S. office of thrift supervision, the federal deposit insurance corporation, the resolution trust corporation, the office of credit unions, the administrator of federal credit unions, or the U.S. comptroller of the currency, the state treasurer secretary of administration shall on the demand of the person in whose favor such check, share draft, or other draft was drawn and upon the return to the treasurer secretary of such check, share draft, or other draft issue a replacement for the same amount.

**SECTION 707.** 20.912 (5) of the statutes is amended to read:

20.912 (5) **LOST, STOLEN, OR DESTROYED CHECKS, SHARE DRAFTS, AND OTHER DRAFTS.** If any check, share draft, or other draft drawn and issued by the state treasurer secretary of administration is lost, stolen, or destroyed and the bank, savings and loan association, savings bank, or credit union on which the check, share draft, or other draft is drawn has been notified to stop payment thereon, the state treasurer secretary of administration may, after acknowledgment by the bank, savings and
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loan association, savings bank, or credit union that the check, share draft, or other draft has not been paid, issue a replacement check, share draft, or other draft and thereafter the state treasurer secretary of administration shall be relieved from all liability thereon.

SECTION 708. 20.916 (2) of the statutes is amended to read:

20.916 (2) REIMBURSEMENT OF JOB APPLICANTS. Subject to rules of the secretary of the department of employment relations administration, reimbursement may be made to applicants for all or part of actual and necessary travel expenses incurred in connection with oral examination and employment interviews.

SECTION 709. 20.916 (4) (a) of the statutes is amended to read:

20.916 (4) (a) If any state agency determines that the duties of any employee require the use of an automobile, it may authorize such employee to use a personal automobile in the employee's work for the state, and reimburse the employee for such travel at a rate which is set biennially by the department of employment relations administration under sub. (8) subject to the approval of the joint committee on employment relations.

SECTION 710. 20.916 (4m) (b) of the statutes is amended to read:

20.916 (4m) (b) Except as otherwise provided in this paragraph, if any state agency determines that an employee's duties require the use of a motor vehicle, and use of a personal motor vehicle is authorized by the agency under similar circumstances, the agency shall authorize the employee to use a personal motorcycle for the employee's duties and shall reimburse the employee for the use of the motorcycle at rates determined biennially by the secretary of employment relations administration under sub. (8), subject to the approval of the joint committee on employment relations. No state agency may authorize an employee to use or
reimburse an employee for the use of a personal motorcycle under this paragraph if more than one individual is transported on the motorcycle. All allowances for the use of a motorcycle shall be paid upon approval and certification of the amounts payable by the head of the state agency for which the employee performs duties to the department of administration.

**SECTION 711.** 20.916 (5) (a) of the statutes is amended to read:

20.916 (5) (a) Whenever any state agency determines that the duties of any member or employee require the use of an airplane, it may authorize him or her to charter such airplane with or without a pilot; and it may authorize any member or employee to use his or her personal airplane and reimburse him or her for such use at a rate set biennially by the department of employment relations administration under sub. (8), subject to the approval of the joint committee on employment relations. Such reimbursement shall be made upon the certification of the amount by the head of the state agency to the department of administration.

**SECTION 712.** 20.916 (8) (a) of the statutes is amended to read:

20.916 (8) (a) The secretary of employment relations administration shall recommend to the joint committee on employment relations uniform travel schedule amounts for travel by state officers and employees whose compensation is established under s. 20.923 or 230.12. Such amounts shall include maximum permitted amounts for meal and lodging costs, special allowance expenses under sub. (9) (d), and porterage tips, except as authorized under s. 16.53 (12) (c). In lieu of the maximum permitted amounts for expenses under sub. (9) (b), (c), and (d), the secretary may recommend to the committee a per diem amount and method of reimbursement for any or all expenses under sub. (9) (b), (c), and (d).

**SECTION 713.** 20.916 (9) (f) 1. of the statutes is amended to read:
20.916 (9) (f) 1. Scheduled air travel. Reimbursement for air travel shall be limited to the lowest appropriate airfare, as determined by the secretary of employment relations administration. An employee may be reimbursed for air travel at a rate other than the lowest appropriate airfare only if the employee submits a written explanation of the reasonableness of the expense.

SECTION 714. 20.917 (1) (c) of the statutes is amended to read:

20.917 (1) (c) Reimbursement for moving expenses may be granted to a person reporting to his or her first place of employment or reporting upon reemployment after leaving the civil service, if reimbursement is recommended by the appointing authority and approved in writing by the secretary of employment relations administration prior to the time when the move is made.

SECTION 715. 20.917 (2) (a) of the statutes is amended to read:

20.917 (2) (a) The secretary of employment relations administration shall recommend a maximum dollar amount which may be permitted for reimbursement of any employee moving costs under sub. (1) (a) to (c), subject to the limitations prescribed in par. (b). This amount shall be submitted for the approval of the joint committee on employment relations in the manner provided in s. 20.916 (8), and upon approval shall become a part of the compensation plan under s. 230.12 (1).

SECTION 716. 20.917 (3) (a) 1. of the statutes is amended to read:

20.917 (3) (a) 1. Lodging allowances shall be in accordance with the schedule established by the secretary of employment relations administration, but may not exceed the rate established under s. 13.123 (1) (a) 1.

SECTION 717. 20.917 (3) (a) 2. of the statutes is amended to read:

20.917 (3) (a) 2. Lodging allowance payments are subject to prior approval in writing by the secretary of employment relations administration.
SECTION 718. 20.917 (5) (b) of the statutes is amended to read:

20.917 (5) (b) Payments under this subsection are in addition to any payments made under sub. (1). Payments under this subsection may be made only with the prior written approval of the secretary of employment relations administration.

SECTION 719. 20.917 (6) of the statutes is amended to read:

20.917 (6) The secretary of employment relations administration may, in writing, delegate to an appointing authority the authority to approve reimbursement for moving expenses under sub. (1) (c), a temporary lodging allowance under sub. (3) (a) 2. or expenses under sub. (5) (b).

SECTION 720. 20.920 (2) (a) of the statutes is amended to read:

20.920 (2) (a) With the approval of the secretary and state treasurer, each state agency may establish a contingent fund. The secretary shall determine the funding source for each contingent fund, total amount of the fund, and maximum payment from the fund.

SECTION 721. 20.923 (4) (intro.) of the statutes is amended to read:

20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the administrator of the division of merit recruitment and selection in the department of employment relations administration and commission chairpersons and members shall be identified and limited in number in accordance with the standardized nomenclature contained in this subsection, and shall be assigned to the executive salary groups listed in pars. (a) to (i). Except for positions specified in par. (c) 3m. and sub. (12), all unclassified division administrator positions enumerated under s. 230.08 (2) (e) shall be assigned, when approved by the joint committee on employment relations, by the secretary of employment relations administration to one of 10 executive salary groups. The joint committee on employment relations, by
majority vote of the full committee, may amend recommendations for initial position
assignments and changes in assignments to the executive salary groups submitted
by the secretary of employment relations administration. All division administrator
assignments and amendments to assignments of administrator positions approved
by the committee shall become part of the compensation plan. Whenever a new
unclassified division administrator position is created, the appointing authority may
set the salary for the position until the joint committee on employment relations
approves assignment of the position to an executive salary group. If the committee
approves assignment of the position to an executive salary group having a salary
range minimum or maximum inconsistent with the salary paid to the incumbent at
the time of such approval, the incumbent’s salary shall be adjusted by the appointing
authority to conform with the committee's action, effective on the date of that action.
Positions are assigned as follows:

**SECTION 722.** 20.923 (4) (a) 6. of the statutes is repealed.

**SECTION 723.** 20.923 (4) (c) 3m. of the statutes is amended to read:

20.923 (4) (c) 3m. Employment relations Administration, department of;

division of merit recruitment and selection: administrator.

**SECTION 724.** 20.923 (4) (c) 4. of the statutes is repealed.

**SECTION 725.** 20.923 (4) (c) 5. of the statutes is amended to read:

20.923 (4) (c) 5. Governor’s work-based learning board council: executive
director.

**SECTION 726.** 20.923 (4) (d) 1. of the statutes is amended to read:

20.923 (4) (d) 1. Administration, department of; office of the commissioner of
tax appeals commission: chairperson and members. The chairperson of the
commission and the governor, at the time a new member is appointed, shall jointly
determine the salary of the new member within the range for this group: commissioner.

SECTION 727. 20.923 (4) (d) 7m. of the statutes is repealed.

SECTION 728. 20.923 (4) (e) 1b. of the statutes is repealed.

SECTION 729. 20.923 (4) (e) 11. of the statutes is repealed.

SECTION 730. 20.923 (4) (g) 1m. of the statutes is repealed.

SECTION 731. 20.923 (4) (h) 2. of the statutes is repealed.

SECTION 732. 20.923 (4g) (intro.) of the statutes is amended to read:

20.923 (4g) UNIVERSITY OF WISCONSIN SYSTEM SENIOR EXECUTIVE POSITIONS. (intro.) A compensation plan consisting of 9 university senior executive salary groups is established for certain administrative positions at the University of Wisconsin System. The salary ranges and adjustments to the salary ranges for the university senior executive salary groups 1 and 2 shall be contained in the recommendations of the secretary of employment relations administration under s. 230.12 (3) (e). The salary ranges and adjustments to the salary ranges for university senior executive salary groups 3 to 9 shall be determined by the board of regents of the University of Wisconsin System based on an analysis of salaries paid for similar positions at comparable universities in other states. The board of regents shall set the salaries for these positions within the ranges to which the positions are assigned to reflect the hierarchical structure of the system, to recognize merit, to permit orderly salary progression and to recognize competitive factors. The salary of any incumbent in the positions identified in pars. (ae) to (f) may not exceed the maximum of the salary range for the group to which the position is assigned. The positions are assigned as follows:

SECTION 733. 20.923 (6) (ac) of the statutes is amended to read:
SENIOR EXECUTIVE POSITIONS.

The salary range for the director and the executive assistant of the Wisconsin Technical College System shall be contained in the recommendations of the secretary of employment relations administration under s. 230.12 (3) (e). The board of the Wisconsin Technical College System shall set the salaries for these positions within the range to which the positions are assigned to recognize merit, to permit orderly salary progression, and to recognize competitive factors. The salary of any incumbent in the positions identified in pars. (a) and (b) may not exceed the maximum of the salary range for the group to which the position is assigned. The positions are assigned as follows:

SECTION 736. 20.9275 (1) (c) of the statutes is amended to read:

20.9275 (1) (c) “Organization” means a nonprofit corporation, as defined in s. 46.93 (1m) (e) 66.0129 (6) (b), or a public agency, as defined in s. 46.93 (1m) (e) 46.856 (1) (b).

SECTION 737. 20.9275 (2) (intro.) of the statutes is amended to read:

20.9275 (2) (intro.) No state agency or local governmental unit may authorize payment of funds of this state, of any local governmental unit or, subject to sub. (3m),
of federal funds passing through the state treasury as a grant, subsidy or other
funding that wholly or partially or directly or indirectly involves pregnancy
programs, projects or services, that is a grant, subsidy or other funding under s.
46.93, 46.99, 46.995, 253.05, 253.07, 253.08 or 253.085 or 42 USC 701 to 710, if any
of the following applies:

SECTION 738. 20.929 of the statutes is amended to read:

20.929 Agency drafts or warrants. The secretary of administration may
authorize any state agency to issue drafts or warrants drawn on the state treasury.
Such drafts or warrants may be issued only in connection with purchase orders
authorized under subch. IV of ch. 16 and may not exceed $300 per draft or warrant.
The state treasurer shall pay such drafts or warrants as presented. The secretary of administration and shall audit the purchase orders issued. Any
purchase order that is disapproved by the secretary as unlawful or unauthorized
shall be returned by the secretary to the state agency for reimbursement to the state
treasurer. The secretary shall make written regulations for the
implementation of this section. The secretary may require any state agency to utilize
one or more separate depository accounts to implement this section. The illegal or
unauthorized use of purchase orders and drafts or warrants under this section is
subject to the remedies specified in s. 16.77.

SECTION 739. 21.19 (13) of the statutes is created to read:

21.19 (13) The adjutant general shall cooperate with the federal government
in the operation and maintenance of distance learning centers for the use of current
and former members of the national guard and the U.S. armed forces. The adjutant
general may charge rent for the use of a center by a nonmilitary or nonfederal person.
All moneys received under this subsection shall be credited to the appropriation account under s. 20.465 (1) (i).

SECTION 740. 21.33 of the statutes is amended to read:

21.33 Pay department. The quartermaster general acting as paymaster under orders from the governor may draw from the state treasury the money necessary for paying troops in camp or on active service, and shall furnish such security for the same as the state treasurer secretary of administration may direct. The amount due on account of the field, staff, or other officers, noncommissioned staff and band, company, or enlists, not herein enumerated, if any, shall be paid to the person to whom the same shall be due, on the properly signed and certified payrolls.

SECTION 741. 21.49 (1) (b) 1g. of the statutes is created to read:

21.49 (1) (b) 1g. A public institution of higher education under the Minnesota–Wisconsin student reciprocity agreement under s. 39.47.

SECTION 742. 21.49 (1) (b) 1m. of the statutes is created to read:

21.49 (1) (b) 1m. A public institution of higher education under an interstate agreement under s. 39.42.

SECTION 743. 21.49 (1) (b) 2. of the statutes is amended to read:

21.49 (1) (b) 2. Any Except as provided in subds. 1g. and 1m., an accredited institution of higher education located in this state, as defined in 20 USC 1002.

SECTION 744. 21.49 (3) (a) of the statutes is amended to read:

21.49 (3) (a) Any eligible guard member upon satisfactory completion of a full–time or part–time course in a qualifying school is eligible for a tuition grant equal to 100% of the actual tuition charged by the school or 100% of the maximum average resident undergraduate tuition charged by the university of
Wisconsin-Madison institutions in the University of Wisconsin System for a comparable number of credits, whichever amount is less.

**SECTION 745.** 21.80 (7) (b) 1. of the statutes is amended to read:

21.80 (7) (b) 1. A person who receives notification under par. (a) that the adjutant general was unable to resolve the person’s complaint may request the adjutant general to refer the complaint to counsel, which may include the attorney general, appointed by the governor on the recommendation of the adjutant general for the purpose of prosecuting complaints under this subdivision who shall file a complaint for appropriate relief with the department of workforce development or, if the person is an employee of a state agency, as defined in s. 111.32 (6) (a), the personnel commission.

**SECTION 746.** 21.80 (7) (b) 2. of the statutes is amended to read:

21.80 (7) (b) 2. Subdivision 1. does not preclude a person who has chosen not to file a complaint with the adjutant general under par. (a), whose complaint the adjutant general has refused to endeavor to resolve under par. (a), or who has chosen not to request the adjutant general to refer his or her complaint to counsel under subd. 1. from filing a complaint for appropriate relief with the department of workforce development or, if the person is an employee of a state agency, with the personnel commission.

**SECTION 747.** 21.80 (7) (b) 3. of the statutes is amended to read:

21.80 (7) (b) 3. The department of workforce development or the personnel commission shall process a complaint filed under subd. 1. or 2. in the same manner that employment discrimination complaints are processed under s. 111.39.

**SECTION 748.** 21.80 (7) (d) (intro.) of the statutes is amended to read:
21.80 (7) (d) Remedies. (intro.) If the department of workforce development or the personnel commission finds that an employer has failed or refused, or is about to fail or refuse, to provide any reemployment right or benefit to which a person is entitled under this section or has discharged or otherwise discriminated against any person in violation of par. (c), the department of workforce development or the personnel commission may order the employer to do any one or more of the following:

SECTION 749. 21.80 (7) (d) 3. of the statutes is amended to read:

21.80 (7) (d) 3. Pay the person, as liquidated damages, an amount that is equal to the amount ordered under subd. 2. if the department of workforce development or the personnel commission finds that the failure or refusal to provide reemployment rights or benefits under this section or the discharge or other discrimination was willful.

SECTION 750. Chapter 22 (title) of the statutes is repealed.

SECTION 751. 22.01 (intro.) of the statutes is repealed.

SECTION 752. 22.01 (1) of the statutes is amended to read:

22.01 (1) “Agency” has the meaning given in s. 16.70 (4) (1e).

SECTION 753. 22.01 (1) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is renumbered 16.97 (1m).

SECTION 754. 22.01 (2), (2m), (3) and (4) of the statutes are renumbered 16.97 (2), (2m), (3) and (4).

SECTION 755. 22.01 (5) of the statutes is repealed.

SECTION 756. 22.01 (5m) to (10) of the statutes are renumbered 16.97 (5m) to (10).

SECTION 757. 22.03 (title) of the statutes is renumbered 16.971 (title).
SECTION 758. 22.03 (2) (intro.), (a) and (ae) of the statutes are renumbered 16.971 (2) (intro.), (a) and (ae).

SECTION 759. 22.03 (2) (am) to (k) of the statutes are renumbered 16.971 (2) (am) to (k).

SECTION 760. 22.03 (2) (L) to (m) of the statutes are renumbered 16.971 (2) (L) to (m) and amended to read:

16.971 (2) (L) Require each executive branch agency, other than the board of regents of the University of Wisconsin System, to adopt and submit to the department, in a form specified by the department, no later than March 1 of each year, a strategic plan for the utilization of information technology to carry out the functions of the agency in the succeeding fiscal year for review and approval under s. 22.13 16.976.

(Lm) No later than 60 days after enactment of each biennial budget act, require each executive branch agency, other than the board of regents of the University of Wisconsin System, that receives funding under that act for an information technology development project to file with the department an amendment to its strategic plan for the utilization of information technology under par. (L). The amendment shall identify each information technology development project for which funding is provided under that act and shall specify, in a form prescribed by the chief information officer department, the benefits that the agency expects to realize from undertaking the project.

(m) Assist in coordination and integration of the plans of executive branch agencies relating to information technology approved under par. (L) and, using these plans and the statewide long-range telecommunications plan under s. 22.41 16.979 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the
use and application of information technology. The department shall, no later than
September 15 of each even-numbered year, submit the statewide strategic plan to
the cochairpersons of the joint committee on information policy and technology and
the governor.

SECTION 761. 22.03 (2) (n) of the statutes is renumbered 16.971 (2) (n).

SECTION 762. 22.03 (2m) (intro.) of the statutes is renumbered 16.971 (2m)
(intro.).

SECTION 763. 22.03 (2m) (a) to (h) of the statutes are renumbered 16.971 (2m)
(a) to (h).

SECTION 764. 22.03 (3) of the statutes is renumbered 16.971 (3) and amended
to read:

16.971 (3) (a) The chief information officer department shall notify the joint
committee on finance in writing of the proposed acquisition of any information
technology resource that the department considers major or that is likely to result
in a substantive change of service, and that was not considered in the regular
budgeting process and is to be financed from general purpose revenues or
corresponding revenues in a segregated fund. If the cochairpersons of the committee
do not notify the chief information officer department that the committee has
scheduled a meeting for the purpose of reviewing the proposed acquisition within 14
working days after the date of the officer's department's notification, the department
may approve acquisition of the resource. If, within 14 working days after the date
of the officer's department's notification, the cochairpersons of the committee notify
the officer department that the committee has scheduled a meeting for the purpose
of reviewing the proposed acquisition, the department shall not approve acquisition
of the resource unless the acquisition is approved by the committee.
(b) The chief information officer department shall promptly notify the joint committee on finance in writing of the proposed acquisition of any information technology resource that the department considers major or that is likely to result in a substantive change in service, and that was not considered in the regular budgeting process and is to be financed from program revenues or corresponding revenues from program receipts in a segregated fund.

**SECTION 765.** 22.03 (4) and (6) of the statutes are renumbered 16.971 (4) and (6).

**SECTION 766.** 22.03 (9) of the statutes is renumbered 16.971 (9) and amended to read:

16.971 (9) In conjunction with the public defender board, the director of state courts, the departments of corrections and justice and district attorneys, the department of electronic government may maintain, promote and coordinate automated justice information systems that are compatible among counties and the officers and agencies specified in this subsection, using the moneys appropriated under s. 20.530 20.505 (1) (ja), (kp) and (kq). The department of electronic government shall annually report to the legislature under s. 13.172 (2) concerning the department’s efforts to improve and increase the efficiency of integration of justice information systems.

**SECTION 767.** 22.03 (11) of the statutes is renumbered 16.971 (11).

**SECTION 768.** 22.05 (title) of the statutes is renumbered 16.972 (title).

**SECTION 769.** 22.05 (1) of the statutes is renumbered 16.972 (1).

**SECTION 770.** 22.05 (2) (intro.) and (a) of the statutes are renumbered 16.972 (2) (intro.) and (a).
SECTION 771. 22.05 (2) (b) and (c) of the statutes are renumbered 16.972 (2) (b) and (c) and amended to read:

16.972 (2) (b) Provide such computer services and telecommunications services to local governmental units and the broadcasting corporation and provide such telecommunications services to qualified private schools, postsecondary institutions, museums and zoos, as the department considers to be appropriate and as the department can efficiently and economically provide. The department may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result of exercising this power. The department may charge local governmental units, the broadcasting corporation, and qualified private schools, postsecondary institutions, museums and zoos, for services provided to them under this paragraph in accordance with a methodology determined by the chief information officer department. Use of telecommunications services by a qualified private school or postsecondary institution shall be subject to the same terms and conditions that apply to a municipality using the same services. The department shall prescribe eligibility requirements for qualified museums and zoos to receive telecommunications services under this paragraph.

(c) Provide such supercomputer services to agencies, local governmental units and entities in the private sector as the department considers to be appropriate and as the department can efficiently and economically provide. The department may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result
of exercising this power. The department may charge agencies, local governmental units and entities in the private sector for services provided to them under this paragraph in accordance with a methodology determined by the chief information officer department.

SECTION 772. 22.05 (2) (d) of the statutes is renumbered 16.972 (2) (d).

SECTION 773. 22.05 (2) (e) of the statutes is renumbered 16.972 (2) (e).

SECTION 774. 22.05 (2) (f) and (g) of the statutes are renumbered 16.972 (2) (f) and (g) and amended to read:

16.972 (2) (f) Acquire, operate, and maintain any information technology equipment or systems required by the department to carry out its functions, and provide information technology development and management services related to those information technology systems. The department may assess executive branch agencies, other than the board of regents of the University of Wisconsin System, for the costs of equipment or systems acquired, operated, maintained, or provided or services provided under this paragraph in accordance with a methodology determined by the chief information officer department. The department may also charge any agency for such costs as a component of any services provided by the department to the agency.

(g) Assume direct responsibility for the planning and development of any information technology system in the executive branch of state government outside of the University of Wisconsin System that the chief information officer department determines to be necessary to effectively develop or manage the system, with or without the consent of any affected executive branch agency. The department may charge any executive branch agency for the department’s reasonable costs incurred in carrying out its functions under this paragraph on behalf of that agency.
Section 775. 22.05 (2) (h) of the statutes is renumbered 16.972 (2) (h) and amended to read:

16.972 (2) (h) Establish master contracts for the purchase of materials, supplies, equipment, or contractual services relating to information technology or telecommunications for use by agencies, authorities, local governmental units, or entities in the private sector and The department may require any executive branch agency, other than the board of regents of the University of Wisconsin System, to make any purchases of materials, supplies, equipment, or contractual services relating to information technology that are included under the contract pursuant to the terms of the contract. The department may require any executive branch agency to make purchases of materials, supplies, equipment, or contractual services relating to telecommunications that are included under the contract pursuant to the terms of the contract.

Section 776. 22.05 (2) (i) of the statutes is renumbered 16.972 (2) (i).

Section 777. 22.07 (intro.) of the statutes is renumbered 16.973 (intro.).

Section 778. 22.07 (1) and (2) of the statutes are renumbered 16.973 (1) and (2) and amended to read:

16.973 (1) Provide or contract with a public or private entity to provide computer services to agencies. The department may charge agencies for services provided to them under this subsection in accordance with a methodology determined by the chief information officer department.

(2) Promulgate methodologies for establishing all fees and charges established or assessed by the department or the chief information officer under this chapter.

Section 779. 22.07 (3) to (7) of the statutes are renumbered 16.973 (3) to (7).
SECTION 780. 22.07 (8) of the statutes is renumbered 16.973 (8) and amended to read:

16.973 (8) Offer the opportunity to local governmental units to voluntarily obtain computer or supercomputer services from the department when those services are provided under s. 22.05 16.972 (2) (b) or (c), and to voluntarily participate in any master contract established by the department under s. 22.05 16.972 (2) (h) or in the use of any informational system or device provided by the department under 22.09 16.974 (3).

SECTION 781. 22.07 (9) of the statutes is renumbered 16.973 (9).

SECTION 782. 22.09 (intro.) of the statutes is renumbered 16.974 (intro.) and amended to read:

16.974 **Powers of the chief information officer department.** (intro.) The chief information officer department may:

SECTION 783. 22.09 (1) of the statutes is renumbered 16.974 (1).

SECTION 784. 22.09 (2) and (3) of the statutes are renumbered 16.974 (2) and (3) and amended to read:

16.974 (2) Subject to s. 22.05 16.972 (2) (b), enter into and enforce an agreement with any agency, any authority, any unit of the federal government, any local governmental unit, or any entity in the private sector to provide services authorized to be provided by the department to that agency, authority, unit, or entity at a cost specified in the agreement.

(3) Develop or operate and maintain any system or device facilitating Internet or telephone access to information about programs of agencies, authorities, local governmental units, or entities in the private sector, or otherwise permitting the transaction of business by agencies, authorities, local governmental units, or entities
in the private sector by means of electronic communication. The chief information officer department may assess executive branch agencies, other than the board of regents of the University of Wisconsin System, for the costs of systems or devices relating to information technology that are developed, operated, or maintained under this subsection in accordance with a methodology determined by the officer department. The department may assess any executive branch agency for the costs of systems or devices relating to telecommunications that are developed, operated, or maintained under this subsection in accordance with a methodology determined by the department. The chief information officer department may also charge any agency, authority, local governmental unit, or entity in the private sector for such costs as a component of any services provided by the department to that agency, authority, local governmental unit, or entity.

Section 785. 22.09 (5) of the statutes is renumbered 16.974 (5) and amended to read:

16.974 (5) Review and approve, approve with modifications, or disapprove any proposed contract for the purchase of materials, supplies, equipment, or contractual services relating to information technology or telecommunications by an executive branch agency, other than the board of regents of the University of Wisconsin System, and review and approve, approve with modifications, or disapprove any proposed contract for the purchase of materials, supplies, equipment, or contractual services relating to telecommunications by any executive branch agency.

Section 786. 22.11 of the statutes is renumbered 16.975.

Section 787. 22.13 (title) of the statutes is renumbered 16.976 (title).

Section 788. 22.13 (1) of the statutes is renumbered 16.976 (1) and amended to read:
16.976 (1) As a part of each proposed strategic plan submitted under s. 22.03, the department shall require each executive branch agency to address the business needs of the agency and to identify all proposed information technology development projects that serve those business needs, the priority for undertaking such projects, and the justification for each project, including the anticipated benefits of the project. Each proposed plan shall identify any changes in the functioning of the agency under the plan. In each even-numbered year, the plan shall include identification of any information technology development project that the agency plans to include in its biennial budget request under s. 16.42 (1).

SECTION 789. 22.13 (2) of the statutes is renumbered 16.976 (2).

SECTION 790. 22.13 (3) to (5) of the statutes are renumbered 16.976 (3) to (5) and amended to read:

16.976 (3) Following receipt of a proposed strategic plan from an executive branch agency, the chief information officer department shall, before June 1, notify the agency of any concerns that the officer department may have regarding the plan and provide the agency with its recommendations regarding the proposed plan. The chief information officer department may also submit any concerns or recommendations regarding any proposed plan to the board for its consideration. The board shall then consider the proposed plan and provide the chief information officer department with its recommendations regarding the plan. The executive branch agency may submit modifications to its proposed plan in response to any recommendations.

(4) Before June 15, the chief information officer department shall consider any recommendations provided by the board under sub. (3) and shall then approve or disapprove the proposed plan in whole or in part.
(5) No executive branch agency, other than the board of regents of the University of Wisconsin System, may implement a new or revised information technology development project authorized under a strategic plan until the implementation is approved by the chief information officer department in accordance with procedures prescribed by the officer department.

SECTION 791. 22.13 (6) of the statutes is renumbered 16.976 (6).

SECTION 792. 22.15 (intro.) of the statutes is renumbered 16.977 (intro.).

SECTION 793. 22.15 (1) to (3) of the statutes are renumbered 16.977 (1) to (3).

SECTION 794. 22.17 (title) of the statutes is renumbered 16.978 (title).

SECTION 795. 22.17 (1) to (4) of the statutes are renumbered 16.978 (1) to (4) and amended to read:

16.978 (1) The board shall provide the chief information officer department with its recommendations concerning any elements of the strategic plan of an executive branch agency that are referred to the board under s. 22.13 16.976 (3).

(2) The board may advise the chief information officer department with respect to management of the information technology portfolio of state government under s. 22.15 16.977.

(3) The board may, upon petition of an executive branch agency, review any decision of the chief information officer department under this chapter affecting that agency. Upon review, the board may affirm, modify, or set aside the decision. If the board modifies or sets aside the decision of the chief information officer department, the decision of the board stands as the decision of the chief information officer department and the decision is not subject to further review or appeal.

(4) The board may monitor progress in attaining goals for information technology and telecommunications development set by the chief information officer.
department or executive branch agencies, other than the board of regents of the University of Wisconsin System, and may monitor progress in attaining goals for telecommunications development set by the department or executive branch agencies. The board may also make recommendations to the officer department or agencies concerning appropriate means of attaining those goals.

SECTION 796. 22.19 of the statutes is renumbered 16.9785.

SECTION 797. 22.41 (title) of the statutes is renumbered 16.979 (title).

SECTION 798. 22.41 (2) (intro.) of the statutes is renumbered 16.979 (2) (intro.).

SECTION 799. 22.41 (2) (a) to (f) of the statutes are renumbered 16.979 (2) (a) to (f).

SECTION 800. 22.41 (3) of the statutes is renumbered 16.979 (3).

SECTION 801. 23.09 (17m) (j) of the statutes is repealed.

SECTION 802. 23.0917 (4m) (a) 2. of the statutes is amended to read:

23.0917 (4m) (a) 2. “Federal nontransportation moneys” means moneys received from the federal government that are not deposited in the transportation fund and that are not credited to the appropriations appropriation under ss. s. 20.115 (2) (m) and 20.445 (1) (ox).

SECTION 803. 23.092 (7) of the statutes is repealed.

SECTION 804. 23.15 (1) of the statutes is amended to read:

23.15 (1) The natural resources board may sell, at public or private sale, lands and structures owned by the state under the jurisdiction of the department of natural resources when the natural resources board determines that said lands are no longer necessary for the state’s use for conservation purposes and, if real property, the real property is not the subject of a petition under s. 16.375 560.9810 (2).

SECTION 805. 23.49 of the statutes is amended to read:
23.49 Credit card use charges. The department shall certify to the state treasurer secretary of administration the amount of charges associated with the use of credit cards that is assessed to the department on deposits accepted under s. 23.66 (1m) by conservation wardens, and the state treasurer secretary of administration shall pay the charges from moneys received under s. 59.25 (3) (j) and (k) that are reserved for payment of the charges under s. 14.58 (21) 20.907 (5) (e) 12e.

SECTION 806. 23.85 of the statutes is amended to read:

23.85 Statement to county board; payment to state. Every county treasurer shall, on the first day of the annual meeting of the county board of supervisors, submit to it a verified statement of all forfeitures, penalty assessments, jail assessments, weapons assessments, environmental assessments, wild animal protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments, and natural resources restitution payments money received during the previous year. The county clerk shall deduct all expenses incurred by the county in recovering those forfeitures, penalty assessments, weapons assessments, environmental assessments, natural resources restitution payments from the aggregate amount so received, and shall immediately certify the amount of clear proceeds of those forfeitures, penalty assessments, weapons assessments, environmental assessments, wild animal protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments, and natural resources restitution payments to the county treasurer, who shall pay the proceeds to the state.
treasurer as provided in s. 59.25 (3). Jail assessments shall be treated separately as provided in s. 302.46.

**SECTION 807.** 24.17 (1) (intro.) of the statutes is amended to read:

24.17 (1) (intro.) When the purchaser of any such lands shall make payment to the treasurer secretary of administration of the amount required to be paid on such sale, and, in case of a private sale, shall also produce the memorandum mentioned in s. 24.16, the treasurer secretary of administration shall give a receipt therefor to such purchaser, and unless such sale be made wholly for cash the board shall execute and deliver to such person a duplicate certificate of sale, in which it shall certify:

**SECTION 808.** 24.17 (2) of the statutes is amended to read:

24.17 (2) When the sale is wholly for cash, upon payment as above provided, the treasurer secretary of administration shall thereupon give to such purchaser a receipt stating the amount paid and giving a description of the lot or tract of land sold and that such purchaser is entitled to receive a patent according to law.

**SECTION 809.** 24.20 of the statutes is amended to read:

**24.20 Payments and accounts.** All money paid on account of sales of public lands shall be paid to the state treasurer secretary of administration who shall credit the proper fund therewith, crediting the general fund with the proceeds of sales of Marathon County lands, and the secretary of administration or the secretary’s designee, upon countersigning the receipt given therefor, shall charge the treasurer therewith, and shall also enter the name of the person paying the same, the number of the certificate, if any, upon which the amount shall be paid, and the time of the payment.

**SECTION 810.** 24.25 of the statutes is amended to read:
24.25 Patent and record thereof. Whenever full payment shall have been made for any such lands as required by law, and the purchaser or the purchaser’s legal representatives shall produce to the board the duplicate certificate of sale, with the receipt of the state treasurer secretary of administration endorsed thereon, showing that the whole amount of the principal and interest due thereon has been paid and that the holder of such certificate is entitled to a patent for the lands described therein, the original and duplicate certificates shall be canceled, and the board shall thereupon execute and deliver a patent to the person entitled thereto for the land described in such certificate. All patents issued by the board shall be recorded in its office; and the record of patents heretofore issued by it is hereby declared a legal record. Purchasers may, at any time before due, pay any part or the whole of such purchase money and the interest thereon. In all cases where patents have been or may hereafter be issued to a person who may have died or who shall die before the date thereof, the title to the land described therein shall inure to and become vested in the heirs, devisees or assignees of such person to the same extent as if the patent had issued to that person during that person’s lifetime.

SECTION 811. 24.29 of the statutes is amended to read:

24.29 Redemption. At any time before the 5 days next preceding the reoffering of such land at public sale, the former purchaser or the former purchaser’s assigns or legal representatives may, by the payment of the sum due with interest, and all taxes returned thereon to the state treasurer secretary of administration which are still unpaid, and all costs occasioned by the delay, together with 3% damages on the whole sum owing for such land, prevent such resale and revive the original contract.

SECTION 812. 24.32 (2) of the statutes is amended to read:
24.32 (2) Every such tract may be redeemed by the former purchaser thereof, the former purchaser’s assigns or legal representatives at any time before the June 30th next following the date of such resale, upon presenting to the board satisfactory proof, which shall be filed and preserved by it, that such tract was, at the time of resale, in whole or in part under cultivation or adjoining a tract partly cultivated, belonging to the former purchaser, the former purchaser’s assigns or legal representatives and used in connection therewith, and upon depositing with the state treasurer secretary of administration, for the use of the purchaser at such resale the amount paid by the purchaser for such land, together with 25% of the amount of such taxes, interest, and costs in addition thereto; and every certificate issued upon any such resale shall be subject to the right of redemption whether it be expressed in such certificate or not. And no patent shall be issued on any such resale until the expiration of such redemption period.

SECTION 813. 24.33 (1) (c) of the statutes is amended to read:

24.33 (1) (c) Payment is made to the treasurer secretary of administration in the amount actually due on the first certificate at the time of the resale, with interest, costs, and charges, and with interest on the amount for which the land was sold at the rate of 10% per year.

SECTION 814. 24.61 (2) (a) (title) of the statutes is amended to read:

24.61 (2) (a) (title) Authorized investments by board.

SECTION 815. 24.61 (2) (a) 10. of the statutes is created to read:

24.61 (2) (a) 10. Land in this state, but subject to the condition established under par. (c).

SECTION 816. 24.61 (2) (b) of the statutes is amended to read:
24.61 (2) (b) Deposited with state treasurer. All bonds, notes and other securities so purchased under par. (a) shall be deposited with the state treasurer.

**Section 817.** 24.61 (2) (b) of the statutes, as affected by 2003 Wisconsin Act ..., (this act), is amended to read:

24.61 (2) (b) Deposited with state treasurer secretary of administration. All bonds, notes, and other securities purchased under par. (a) shall be deposited with the state treasurer secretary of administration.

**Section 818.** 24.61 (2) (c) of the statutes is created to read:

24.61 (2) (c) Delegation of investment authority to investment board. The board may delegate to the investment board the authority to invest part or all of the moneys belonging to the trust funds. If the board delegates the authority, the investment board may invest the moneys belonging to the trust funds in any manner authorized for the investment of any funds specified in s. 25.17 (1).

**Section 819.** 24.61 (2) (d) of the statutes is created to read:

24.61 (2) (d) Investments in land in this state. The board may not invest moneys in the purchase of any land under par. (a) 10. unless the governor requests that the board purchase the land and that the board determines that the purchase of the land will reduce the per acre costs incurred by the board in managing the public lands and all other lands managed by the board.

**Section 820.** 24.62 (1) of the statutes is amended to read:

24.62 (1) Except as authorized in sub. (2), the board shall deduct its expenses incurred in administering investments and loans under s. 24.61 from the gross receipts of the fund to which the interest and income of the investment or loan will be added. If the board delegates to the investment board the authority to invest part or all of the moneys belonging to the trust funds, the investment board shall deduct
its expenses incurred in administering investments under s. 24.61 as provided under s. 25.187.

**SECTION 821.** 24.67 (3) of the statutes is amended to read:

24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that fact to the department of administration. Upon receiving a certification from a municipality, or upon direction of the board if a loan is made to a cooperative educational service agency or a federated public library system, the secretary of administration shall draw a warrant upon the state treasurer for the amount of the loan, payable to the treasurer of the municipality, cooperative educational service agency, or federated public library system making the loan or as the treasurer of the municipality, cooperative educational service agency, or federated public library system directs. The certificate of indebtedness shall then be conclusive evidence of the validity of the indebtedness and that all the requirements of law concerning the application for the making and acceptance of the loan have been complied with.

**SECTION 822.** 24.69 (1) of the statutes is amended to read:

24.69 (1) The board may sell state trust fund loans or participations therein, and may contract to do so at a future date, for such price, upon such other terms and in such manner as the board may determine. The sale may be to any person, including, without limitation, a trust or other investment vehicle created for the purpose of attracting private investment capital. The board shall remit the proceeds of the sale to the secretary of administration for deposit in the appropriate trust fund and shall invest the proceeds in accordance with s. 24.61.

**SECTION 823.** 24.70 (2) of the statutes is amended to read:

24.70 (2) **CERTIFIED STATEMENT.** If a borrower other than a school district has a state trust fund loan, the board shall transmit to the clerk of the jurisdiction, or the...
person signing the application on behalf of the borrower in the case of a cooperative
educational service agency, a certified statement of the amount due on or before
October 1 of each year until the loan is repaid. The board shall submit a copy of each
certified statement to the state treasurer secretary of administration. A cooperative
educational service agency shall transmit a copy of the statement to the clerk of each
school district on behalf of which the agency has obtained a loan.

SECTION 824. 24.70 (4) of the statutes is amended to read:

24.70 (4) PAYMENT TO STATE TREASURER SECRETARY OF ADMINISTRATION. The
treasurer of each municipality shall transmit to the state treasurer secretary of
administration on his or her order the full amount levied for state trust fund loans
within 15 days after March 15. Each cooperative educational service agency shall
similarly transmit the annual amount owed on any state trust fund loan made to the
agency by that date. The state treasurer secretary of administration shall notify the
board when he or she receives payment. Any payment not made by March 30 is
delinquent and is subject to a penalty of one percent per month to be paid to the state
treasurer secretary of administration with the delinquent payment.

SECTION 825. 24.70 (6) of the statutes is amended to read:

24.70 (6) FAILURE TO MAKE PAYMENTS. If any municipality fails to remit the
amount due by the date specified under sub. (4), the board may file a certified
statement of the amount delinquent with the department of administration.
The department secretary of administration shall collect the amount due, including
any penalty, by deducting that amount from any state payments due the
municipality, shall remit that amount to the state treasurer and shall notify the
treasurer and the board of that action.

SECTION 826. 24.71 (2) of the statutes is amended to read:
24.71 (2) Certified statement. If a school district has a state trust fund loan, the board shall transmit to the school district clerk a certified statement of the amount due on or before October 1 of each year until the loan is paid. The board shall furnish a copy of each certified statement to the state treasurer secretary of administration and the department of public instruction. 

SECTION 827. 24.71 (4) of the statutes is amended to read:

24.71 (4) PAYMENT TO STATE TREASURER SECRETARY OF ADMINISTRATION. The school district treasurer shall transmit to the state treasurer on his or her own order secretary of administration the full amount levied for state trust fund loans within 15 days after March 15. The state treasurer secretary of administration shall notify the board when he or she receives payment. Any payment not made by March 30 is delinquent and is subject to a penalty of one percent per month or fraction thereof, to be paid to the state treasurer secretary of administration with the delinquent payment.

SECTION 828. 24.71 (5) of the statutes is amended to read:

24.71 (5) FAILURE TO MAKE PAYMENT. If the school district treasurer fails to remit the amounts due under sub. (4), the state superintendent, upon certification of delinquency by the board, shall deduct the amount due including any penalty from any school aid payments due the school district, shall remit such amount to the state treasurer secretary of administration and, no later than June 15, shall notify the school district treasurer and the board to that effect.

SECTION 829. 25.14 (1) (a) 9m. of the statutes is created to read:

25.14 (1) (a) 9m. The health care provider availability and cost control fund.

SECTION 830. 25.14 (3) of the statutes is amended to read:
25.14 (3) The department of administration, upon consultation with the board, shall distribute all earnings, profits, or losses of the state investment fund to each participating fund in the same ratio as each participating fund's average daily balance within the state investment fund bears to the total average daily balance of all participating funds, except as provided in s. 14.58 (19) 16.401 (14) and except that the department of administration shall credit to the appropriation account under s. 20.585 (1) (jt) 20.505 (1) (kj) an amount equal to the amount assessed under s. 25.19 (3) from the earnings or profits of the funds against which an assessment is made. Distributions under this section shall be made at such times as the department of administration may determine, but must be made at least semiannually in each complete fiscal year of operation.

**SECTION 831.** 25.16 (8) of the statutes is created to read:

25.16 (8) The executive director shall assign an employe of the investment board to assist the board of commissioners of public lands in establishing and maintaining investment objects with respect to the investment of the assets of the agricultural college fund, the common school fund, the normal school fund, and the university fund. An amount equal to the cost of any services rendered to the board of commissioners of public lands under this subsection shall be deducted from the gross receipts of the fund to which the moneys invested belong and shall be credited to the appropriation account under s. 20.536 (1) (k).

**SECTION 832.** 25.17 (1) (afp) of the statutes is created to read:

25.17 (1) (afp) Agricultural college fund (s. 24.82), but subject to the terms of delegation under s. 24.61 (2) (c);

**SECTION 833.** 25.17 (1) (ayp) of the statutes is created to read:
25.17 (1) (ayp) Common school fund (s. 24.76), but subject to the terms of delegation under s. 24.61 (2) (c);

**SECTION 834.** 25.17 (1) (e) of the statutes is created to read:

25.17 (1) (e) Election administration fund (s. 25.425);

**SECTION 835.** 25.17 (1) (es) of the statutes is created to read:

25.17 (1) (es) Excise tax fund (s. 25.59);

**SECTION 836.** 25.17 (1) (kd) of the statutes is created to read:

25.17 (1) (kd) Normal school fund (s. 24.80), but subject to the terms of delegation under s. 24.61 (2) (c);

**SECTION 837.** 25.17 (1) (ky) of the statutes is created to read:

25.17 (1) (ky) Health care provider availability and cost control fund (s. 655.75);

**SECTION 838.** 25.17 (1) (th) of the statutes is created to read:

25.17 (1) (th) Tobacco settlement bond purchase program repayment fund (s. 25.575);

**SECTION 839.** 25.17 (1) (xLc) of the statutes is created to read:

25.17 (1) (xLc) University fund (s. 24.81), but subject to the terms of delegation under s. 24.61 (2) (c);

**SECTION 840.** 25.17 (1) (zm) of the statutes is amended to read:

25.17 (1) (zm) All other funds of the state or of any state department or institution, except funds which under article X of the constitution are controlled and invested by the board of commissioners of public lands, funds which are required by specific provision of law to be controlled and invested by any other authority, and moneys in the University of Wisconsin trust funds, and in the trust funds of the state universities.

**SECTION 841.** 25.17 (3) (a) of the statutes is amended to read:
25.17 (3) (a) Invest the fixed retirement investment trust, state life fund, veterans trust fund and patients compensation fund, and health care provider availability and cost control fund in loans, securities and any other investments authorized by s. 620.22, and in bonds or other evidences of indebtedness or preferred stock of companies engaged in the finance business whether as direct lenders or as holding companies owning subsidiaries engaged in the finance business. Investments permitted by sub. (4) are permitted investments under this subsection.

SECTION 842. 25.17 (3) (dr) of the statutes is amended to read:

25.17 (3) (dr) Invest the funds of the bond security and redemption fund only in direct obligations of securities issued by the United States or one of its agencies, and securities fully guaranteed by the United States, maturing in amounts and at times sufficient to pay the principal and interest payable from such fund during the calendar year.

SECTION 843. 25.17 (61) of the statutes is amended to read:

25.17 (61) Designate special depositories in which the secretary of administration or the state treasurer may make special deposits of funds, not exceeding the amount limited by the board, which shall be deposited subject to the depository’s rules and regulations relative to either savings accounts, time certificates of deposit, or open time accounts, as the case may be.

SECTION 844. 25.19 (3) of the statutes is amended to read:

25.19 (3) The state treasurer secretary of administration shall, at the direction of the depository selection board under s. 34.045 (1) (b), allocate bank service costs to the funds incurring those costs.

SECTION 845. 25.19 (4) of the statutes is amended to read:
25.19 (4) The **state treasurer** secretary of administration shall provide advice to state agencies concerning efficient cash management practices.

**SECTION 846.** 25.31 (1) of the statutes is amended to read:

25.31 (1) First: The principal of said trust fund shall be held by the **state treasurer** secretary of administration, and be invested and reinvested as provided in this chapter.

**SECTION 847.** 25.40 (1) (a) 3. of the statutes is amended to read:

25.40 (1) (a) 3. Revenues collected under s. 341.25 ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2), and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14, except s. 342.14 (1r), that are pledged to the any fund created under s. 84.59 (2).

**SECTION 848.** 25.40 (1) (a) 6. of the statutes is amended to read:

25.40 (1) (a) 6. Amounts payable to the **state treasurer** secretary of administration under s. 85.14 (1) (b) in conjunction with the collection of fees paid by credit card.

**SECTION 849.** 25.40 (1) (a) 12m. of the statutes is created to read:

25.40 (1) (a) 12m. Moneys collected under s. 195.60 that are deposited in the general fund, 90% of which are credited to the appropriation under s. 20.395 (2) (gg).

**SECTION 850.** 25.40 (1) (f) 1. of the statutes is repealed.

**SECTION 851.** 25.40 (1) (f) 2. of the statutes is amended to read:

25.40 (1) (f) 2. Moneys received under s. 106.26 that are deposited in the general fund and credited to the appropriation under s. 20.445 (1) (ox).

**SECTION 852.** 25.40 (2) (b) 19r. of the statutes is created to read:
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25.40 (2) (b) 19r. Section 20.255 (2) (r).

SECTION 853. 25.40 (2) (b) 22m. of the statutes is created to read:

25.40 (2) (b) 22m. Section 20.835 (1) (t).

SECTION 854. 25.40 (2) (b) 22m. of the statutes, as created by 2003 Wisconsin Act .... (this act), is repealed.

SECTION 855. 25.425 of the statutes is created to read:

25.425 Election administration fund. There is established a separate nonlapsible trust fund designated the election administration fund consisting of all moneys received from the federal government under P.L. 107–252.

SECTION 856. 25.465 (8) of the statutes is amended to read:

25.465 (8) The fees collected under s. 94.72 (5) (b) and (6) (a) 1. and 2. and 2m. and (i).

SECTION 857. 25.55 (1) of the statutes is repealed.

SECTION 858. 25.55 (2) of the statutes is repealed.

SECTION 859. 25.575 of the statutes is created to read:

25.575 Tobacco settlement bond purchase program repayment fund.

There is created a separate nonlapsible trust fund, known as the tobacco settlement bond purchase program repayment fund, consisting of all moneys received as revenues from bonds purchased under s. 16.523, any other revenues of the tobacco settlement bond purchase program dedicated to it by the resolution authorizing the issuance of the revenue obligations under s. 16.523, and all moneys transferred to the fund under s. 20.505 (1) (te).

SECTION 860. 25.59 of the statutes is created to read:

25.59 Excise tax fund. There is created a separate nonlapsible trust fund, known as the excise tax fund, that, for the purposes of subch. II of ch. 18, shall be a
special fund. If any revenue obligations are issued under s. 16.526, the excise tax
fund shall consist of all taxes that are thereafter paid under ch. 139, other than
subch. IV of ch. 139.

SECTION 861. 25.60 of the statutes is amended to read:

25.60 Budget stabilization fund. There is created a separate nonlapsible
trust fund designated as the budget stabilization fund, consisting of moneys
transferred to the fund from the general fund under s. ss. 13.48 (14) (c), 16.518 (3)
, 16.72 (4) (b), and 51.06 (6).

SECTION 862. 25.66 (1) (e) of the statutes is amended to read:

25.66 (1) (e) Beginning in fiscal year 2003–04, all moneys transferred from the
general fund under s. 20.436 (1) 20.435 (1) (b).

SECTION 863. 25.66 (1) (f) of the statutes is created to read:

25.66 (1) (f) All moneys transferred under s. 20.505 (1) (tm).

SECTION 864. 25.77 (1) of the statutes is amended to read:

25.77 (1) All federal moneys received, including moneys that the department
of health and family services may transfer from the appropriation under s. 20.435
(4) (o), that are related to payments under s. 49.45 (6m) and are based on public funds
that are transferred or certified under 42 CFR 433.51 (b) and used as the non–federal
nonfederal share of medical assistance Medical Assistance funding.

SECTION 865. 25.77 (2) of the statutes is amended to read:

25.77 (2) All public funds that are related to payments under s. 49.45 (6m) and
that are transferred or certified under 42 CFR 433.51 (b) and used as the non–federal
nonfederal and federal share of medical assistance Medical Assistance funding.

SECTION 866. 25.77 (3) of the statutes is created to read:
25.77 (3) All moneys received under s. 50.14 (2) from assessments on licensed beds of facilities except $14,300,000 in fiscal year 2003–04 and $13,800,000 in fiscal year 2004–05 and, beginning July 1, 2005, 45% in each fiscal year.

**SECTION 867.** 25.77 (4) of the statutes is created to read:

25.77 (4) All moneys received under s. 49.45 (2) (a) 25. from assessments on health maintenance organizations.

**SECTION 868.** 25.77 (5) of the statutes is created to read:

25.77 (5) All moneys transferred under s. 20.435 (4) (hm).

**SECTION 869.** 26.11 (6) of the statutes is amended to read:

26.11 (6) The department, as the director of the effort, may suppress a forest fire on lands located outside the boundaries of intensive or extensive forest fire protection districts but not within the limits of any city or village if the town responsible for suppressing fires within its boundaries spends more than $3,000, as determined by rates established by the department, on suppressing the forest fire and if the town chairperson makes a request to the department for assistance. Persons participating in the suppression efforts shall act at the direction of the department after the department begins suppression efforts under this subsection. Funds expended by the state under this subsection shall be drawn from the appropriation under s. 20.370 (1) (mu) (mv).

**SECTION 870.** 26.14 (4) of the statutes is amended to read:

26.14 (4) Emergency fire wardens or those assisting them in the fighting of forest fires shall prepare itemized accounts of their services and the services of those employed by them, as well as other expenses incurred, on blanks to be furnished by the department and in a manner prescribed by the department, and make oaths or affirmation that said account is just and correct, which account shall be forwarded
and approved for payment by the department. As soon as any such account has been paid by the state treasurer, the department of natural resources shall send to the proper county treasurer a bill for the county’s share of such expenses and a copy of the bill shall be filed with the department of administration. The county shall have 60 days within which to pay such bill, but if not paid within that time the county shall be liable for interest at the rate of 6% per year. If payment is not made within 60 days the department of administration shall include such amount as a part of the next levy against the county for state taxes, but no county shall be required to pay more than $5,000 in any one year. Any unpaid levy under this section shall remain a charge against the county and the department of administration shall include such unpaid sums in the state tax levy of the respective counties in subsequent years.

**SECTION 871.** 26.20 (3) of the statutes is amended to read:

26.20 (3) LOCOMOTIVE INSPECTOR; POWERS. Any locomotive inspector designated by the department shall have the power to reject from service immediately any locomotive, donkey, traction, or portable engine which, in the opinion of the inspector, is deficient in adequate design, construction, or maintenance of the fire protective devices designated in sub. (2), and any such locomotive, donkey, traction, or portable engine so rejected from service shall not be returned to service until such defects have been remedied to the satisfaction of the locomotive inspector. In case of disagreement between the inspector and the owner of the locomotive, donkey, traction, or portable engine so rejected from service as to the efficiency or proper maintenance of said protective devices, then the owner of the locomotive, donkey, traction, or portable engine may appeal to the office of the commissioner of railroads division of hearings and appeals in the department of administration for a decision of said matter, but
pending such decision the locomotive, donkey, traction, or portable engine shall not be returned to service.

**SECTION 872.** 26.20 (10) of the statutes is amended to read:

26.20 (10) APPEAL TO OFFICE OF THE COMMISSIONER OF RAILROADS DIVISION OF HEARINGS AND APPEALS. In case the department and any person operating any locomotive, donkey, or threshing engine, or any engine, boiler, or locomotive cannot agree as to the most practicable device or devices for preventing the escape of sparks, cinders, or fire from smokestacks, ash pans or fire boxes, then the same shall be determined by the office of the commissioner of railroads division of hearings and appeals in the department of administration.

**SECTION 873.** 26.30 (9) (b) (intro.) of the statutes is amended to read:

26.30 (9) (b) (intro.) As soon as the expenses incurred by the state in forest pest control work have been paid by the state treasurer secretary of administration, the department shall send to each landowner a bill covering an equitable share of such expenses as herein provided.

**SECTION 874.** 29.038 (1) (a) of the statutes is amended to read:

29.038 (1) (a) “Local governmental unit” has the meaning given in s. 22.01 16.97 (7).

**SECTION 875.** 29.319 (2) of the statutes is amended to read:

29.319 (2) Any fees collected by the department under this section shall be deposited in the conservation fund to be used for department activities relating to fish and wildlife and credited to the appropriation for the endangered resources program under s. 20.370 (1) (fs).

**SECTION 876.** 29.563 (2) (a) 1. of the statutes is amended to read:

29.563 (2) (a) 1. Small game: $12.25 $18.25.
SECTION 877. 29.563 (2) (a) 2. of the statutes is amended to read:

29.563 (2) (a) 2. Small game issued to a resident senior citizen: $5.25 $8.25.

SECTION 878. 29.563 (2) (a) 4. of the statutes is amended to read:


SECTION 879. 29.563 (2) (a) 5. of the statutes is amended to read:


SECTION 880. 29.563 (2) (a) 6. of the statutes is amended to read:

29.563 (2) (a) 6. Class A bear: $39.25 $47.25.

SECTION 881. 29.563 (2) (a) 7. of the statutes is amended to read:


SECTION 882. 29.563 (2) (a) 8. of the statutes is amended to read:


SECTION 883. 29.563 (2) (a) 9. of the statutes is amended to read:


SECTION 884. 29.563 (2) (b) 1. of the statutes is amended to read:

29.563 (2) (b) 1. Annual small game: $73.25 $78.25.

SECTION 885. 29.563 (2) (b) 2. of the statutes is amended to read:

29.563 (2) (b) 2. Five-day small game: $41.25 $48.25.

SECTION 886. 29.563 (2) (b) 3. of the statutes is amended to read:

29.563 (2) (b) 3. Deer: $133.25 $158.25.

SECTION 887. 29.563 (2) (b) 4. of the statutes is amended to read:

29.563 (2) (b) 4. Class A bear: $199.25 $249.25.

SECTION 888. 29.563 (2) (b) 5. of the statutes is amended to read:

29.563 (2) (b) 5. Class B bear: $98.25 $108.25.
1 SECTION 889. 29.563 (2) (b) 6. of the statutes is amended to read:
2 29.563 (2) (b) 6. Archer: $133.25 $158.25.
3
4 SECTION 890. 29.563 (2) (b) 7. of the statutes is amended to read:
5 29.563 (2) (b) 7. Fur-bearing animal: $148.25 $158.25.
6
7 SECTION 891. 29.563 (2) (b) 8. of the statutes is amended to read:
8 29.563 (2) (b) 8. Wild turkey: $53.25 $58.25.
9
10 SECTION 892. 29.563 (3) (a) 1. of the statutes is amended to read:
12
13 SECTION 893. 29.563 (3) (a) 2. of the statutes is amended to read:
15
16 SECTION 894. 29.563 (3) (a) 3. of the statutes is amended to read:
17 29.563 (3) (a) 3. Husband and wife: $23.25 $34.25.
18
19 SECTION 895. 29.563 (3) (a) 5. of the statutes is amended to read:
20 29.563 (3) (a) 5. Two-day sports fishing: $9.25 $13.25.
21
22 SECTION 896. 29.563 (3) (a) 7. of the statutes is amended to read:
23 29.563 (3) (a) 7. Annual or temporary fishing issued to a disabled person under
24 s. 29.193 (3) (a) or (b) or (3m): $6.25 $9.25.
25
26 SECTION 897. 29.563 (3) (b) 1. to 5. of the statutes are amended to read:
27 29.563 (3) (b) 1. Annual: $33.25 $39.25.
28 2. Annual family: $51.25 $64.25.
31 5. Four-day: $14.25 $17.25.
32
33 SECTION 898. 29.563 (3) (c) 2. of the statutes is amended to read:
34 29.563 (3) (c) 2. Great Lakes trout and salmon: $7 $9.75.
SECTION 899. 29.563 (4) (a) 1. of the statutes is amended to read:

29.563 (4) (a) 1. Sports: $41.25 $51.25 or a greater amount at the applicant’s option.

SECTION 900. 29.563 (4) (a) 2. of the statutes is amended to read:

29.563 (4) (a) 2. Conservation patron: $107.25 $137.25 or a greater amount at the applicant’s option.

SECTION 901. 29.563 (4) (b) 1. of the statutes is amended to read:

29.563 (4) (b) 1. Sports: $238.25 $273.25 or a greater amount at the applicant’s option.

SECTION 902. 29.563 (4) (b) 2. of the statutes is amended to read:

29.563 (4) (b) 2. Conservation patron: $572.25 $597.25 or a greater amount at the applicant’s option.

SECTION 903. 29.563 (6) (a) 1. of the statutes is amended to read:


SECTION 904. 29.563 (12) (a) 1. to 3. of the statutes are amended to read:


2. Archer, sports or conservation patron: $10.25 $12.25 if deer tags are included; $7.25 $9.25 after open season and deer tags are not included.

3. Other hunting: $6.25 $7.25.

SECTION 905. 29.563 (12) (b) of the statutes is amended to read:


SECTION 906. 29.983 (1) (e) of the statutes is amended to read:

29.983 (1) (e) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the wild animal protection assessment required under this section. If the deposit is
forfeited, the amount of the wild animal protection assessment shall be transmitted to the state treasurer secretary of administration under par. (f). If the deposit is returned, the wild animal protection assessment shall also be returned.

SECTION 907. 29.983 (1) (f) of the statutes is amended to read:

29.983 (1) (f) The clerk of the court shall collect and transmit to the county treasurer the wild animal protection assessment and other amounts required under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2.

SECTION 908. 29.983 (2) of the statutes is amended to read:

29.983 (2) DEPOSIT OF WILD ANIMAL PROTECTION ASSESSMENT FUNDS. The state treasurer secretary of administration shall deposit the moneys collected under this section into the conservation fund.

SECTION 909. 29.985 (1) (c) of the statutes is amended to read:

29.985 (1) (c) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the fishing shelter removal assessment prescribed in this section. If the deposit is forfeited, the amount of the fishing shelter removal assessment shall be transmitted to the state treasurer secretary of administration under par. (d). If the deposit is returned, the fishing shelter removal assessment shall also be returned.

SECTION 910. 29.985 (1) (d) of the statutes is amended to read:

29.985 (1) (d) The clerk of the court shall collect and transmit to the county treasurer the fishing shelter removal assessment and other amounts required under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2.

SECTION 911. 29.987 (1) (c) of the statutes is amended to read:
29.987 (1) (c) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the natural resources assessment prescribed in this section. If the deposit is forfeited, the amount of the natural resources assessment shall be transmitted to the state treasurer secretary of administration under par. (d). If the deposit is returned, the natural resources assessment shall also be returned.

SECTION 912. 29.987 (1) (d) of the statutes is amended to read:

29.987 (1) (d) The clerk of the court shall collect and transmit to the county treasurer the natural resources assessment and other amounts required under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer as provided in s. 59.25 (3) (f) 2. The state treasurer secretary of administration shall deposit the amount of the natural resources assessment in the conservation fund.

SECTION 913. 29.989 (1) (c) of the statutes is amended to read:

29.989 (1) (c) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the natural resources restitution payment prescribed in this section. If the deposit is forfeited, the amount of the natural resources restitution payment shall be transmitted to the state treasurer secretary of administration under par. (d). If the deposit is returned, the natural resources restitution payment shall also be returned.

SECTION 914. 29.989 (1) (d) of the statutes is amended to read:

29.989 (1) (d) The clerk of the court shall collect and transmit to the county treasurer the natural resources restitution payment and other amounts required under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2. The state treasurer secretary of administration shall...
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treasurer of administration shall deposit the amount of the natural
resources restitution payment in the conservation fund.

SECTION 915. 30.275 (5) of the statutes is repealed.

SECTION 916. 30.277 (7) of the statutes is repealed.

SECTION 917. 30.33 (1) of the statutes is amended to read:

30.33 (1) BOARD TO HAVE POWERS OF RAILROAD CORPORATION. Any municipality
operating a public harbor through a board of harbor commissioners may, through
such board, construct, maintain or operate railway facilities or a harbor belt line
connecting various harbor facilities with one another or with other railroads within
the municipality or its vicinity. The board of harbor commissioners is granted all of
the rights, powers and privileges conferred upon railroad corporations by ss. 190.02
and 190.025 (3), except such rights, powers and privileges as are conferred upon
railroad corporations by s. 190.02 (9). Such facilities or belt line may be constructed,
maintained or operated partly outside the corporate limits of the municipality. In
constructing, maintaining or operating such facilities or belt line, the board of harbor
commissioners has the powers and privileges of railroad corporations and shall be
subject to the same restrictions as railroad corporations and to the supervision of the
office of the commissioner of railroads department of transportation, except as to the
system of accounting and the payment of wages to employees.

SECTION 918. 30.33 (2) of the statutes is amended to read:

30.33 (2) MUNICIPALITY MAY ORGANIZE HARBOR RAILWAY CORPORATION. Any
municipality mentioned in sub. (1) may, with the consent of its board of harbor
commissioners, organize a railroad corporation for the purpose of constructing,
maintaining or operating a harbor belt line or may subscribe for stock in an existing
railroad corporation organized for such purpose. If the municipality decides to
organize a railroad corporation for such purpose, the governing body thereof may, by
resolution, authorize the chief executive officer or presiding officer of such
municipality to act, together with 4 citizens to be designated by the officer, as
incorporators of such company. Such incorporators shall proceed to incorporate the
railroad corporation in accordance with chs. 190 to 192, so far as applicable. Such
harbor railroad corporation is subject to the supervisory and regulatory powers of the
office of the commissioner of railroads department of transportation to the same
extent as other railroad corporations. The municipality may subscribe to the stock
of such harbor railroad corporation and may pay for such stock out of any funds it
may lawfully have available for that purpose, including the proceeds of harbor
improvement bonds.

SECTION 919. 30.92 (7) of the statutes is repealed.

SECTION 920. 30.93 (3) (b) of the statutes is amended to read:

30.93 (3) (b) Authority to contract; Wisconsin conservation corps. The
commission may contract with public agencies, public or private organizations,
businesses, or individuals to carry out management or operation responsibilities for
the Fox River navigational system. The commission may contract with the
department of health and family services or other state agency to carry out
management or operation responsibilities for the Fox River navigational system.
The commission may act as a Wisconsin conservation corps project sponsor and may
enter into agreements with the Wisconsin conservation corps board to carry out
management or operation responsibilities for the Fox River navigational system.

SECTION 921. 33.445 (4) of the statutes is repealed.

SECTION 922. 33.56 (4) of the statutes is repealed.

SECTION 923. 34.01 (2) (a) of the statutes is amended to read:
34.01 (2) (a) Any loss of public moneys, which have been deposited in a designated public depository in accordance with this chapter, resulting from the failure of any public depository to repay to any public depositor the full amount of its deposit because the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or division of banking or division of savings institutions has taken possession of the public depository or because the public depository has, with the consent and approval of the office of credit unions, administrator of federal credit unions, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or division of banking or division of savings institutions, adopted a stabilization and readjustment plan or has sold a part or all of its assets to another credit union, bank, savings bank, or savings and loan association which has agreed to pay a part or all of the deposit liability on a deferred payment basis or because the depository is prevented from paying out old deposits because of rules of the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or division of banking or division of savings institutions.

SECTION 924. 34.045 (1) (b) of the statutes is amended to read:

34.045 (1) (b) Establish procedures by which state agencies and departments pay for services through compensating balances or fees, or a combination of both methods. In the case of the state treasurer’s accounts, direct the state treasurer Direct the secretary of administration to maintain compensating balances, or direct the investment board to pay bank service costs as allocated by the state treasurer.
SECRETARY OF ADMINISTRATION under s. 25.19 (3) directly from the income account of the state investment fund, or by a combination of such methods.

SECTION 925. 34.08 (2) of the statutes is amended to read:

34.08 (2) Payments under sub. (1) shall be made in the order in which satisfactory proofs of loss are received by the division of banking. The payment made to any public depositor for all losses of the public depositor in any individual public depository may not exceed $400,000 above the amount of deposit insurance provided by an agency of the United States or by the Wisconsin Credit Union Savings Insurance Corporation at the public depository which experienced the loss. Upon a satisfactory proof of loss, the division of banking shall direct the department of administration to draw its warrant payable from the appropriation under s. 20.144 (1) (a) and the state treasurer shall pay the warrant under s. 14.58 (4) in favor of the public depositor that has submitted the proof of loss.

SECTION 926. 34.10 of the statutes is amended to read:

34.10 Reorganization and stabilization of financial institutions.
Whenever the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or division of banking or division of savings institutions has taken charge of a credit union, bank, savings bank, or savings and loan association with a view of restoring its solvency, pursuant to law, or with a view of stabilizing and readjusting the structure of any national or state credit union, bank, savings bank, or savings and loan association located in this state, and has approved a reorganization plan or a stabilization and readjustment agreement entered into between the credit union,
bank, savings bank, or savings and loan association and depositors and unsecured creditors, or when a credit union, bank, savings bank, or savings and loan association, with the approval of the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or division of banking or division of savings institutions proposes to sell its assets to another credit union, bank, savings bank, or savings and loan association which agrees to assume a part or all of the deposit liability of such selling credit union, bank, savings bank, or savings and loan association and to pay the same on a deferred payment basis, the governing board of the public depositor may, on the approval of the division of banking, join in the execution of any reorganization plan, or any stabilization and readjustment agreement, or any depositor’s agreement relative to a proposed sale of assets if, in its judgment and that of the division of banking, the reorganization plan or stabilization and readjustment agreement or proposed sale of assets is in the best interest of all persons concerned. The joining in any reorganization plan, or any stabilization and readjustment agreement, or any proposed sale of assets which meets the approval of the division of banking does not waive any rights under this chapter.

SECTION 927. 35.24 (3) of the statutes is amended to read:

35.24 (3) Reprints of the feature article shall be bound in paper covers and shall be in such quantity as is authorized for each specific reprint by the joint committee on legislative organization. The cost of reprints shall be paid from the appropriation under s. 20.765 (1) (d) or (5).

SECTION 928. 35.91 (1) of the statutes is amended to read:
35.91 (1) The latest edition of the Wisconsin statutes shall be sold at a price, calculated to the nearest dollar, to be fixed by the department, based on cost plus 75% of the revisor’s expenditures under s. 20.765 (3) (a) or (5) during the preceding biennium. The department may sell noncurrent editions of the Wisconsin statutes and Wisconsin annotations at reduced prices to be fixed by it.

SECTION 929. 35.93 (9) of the statutes is amended to read:

35.93 (9) The department shall charge the legislature under s. 20.765 (1) (d) or (5) for the cost of distribution of the code and the register, including the costs specified in s. 35.80, and shall deposit all revenues received from their sale into the general fund.

SECTION 930. 36.09 (1) (i) of the statutes is amended to read:

36.09 (1) (i) Upon recommendation of the president and the administrator of the division of merit recruitment and selection in the department of employment relations administration, the board and the secretary of employment relations administration shall jointly adopt general policies governing the designation of positions to be exempt from the classified service as academic staff as defined in s. 36.15 (1) (a) and (b). No position in the classified service may be designated as an academic staff position under the general policies unless the secretary of employment relations administration approves the designation.

SECTION 931. 36.09 (1) (j) of the statutes is amended to read:

36.09 (1) (j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91, the board shall establish salaries for persons not in the classified staff prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries
established for the preceding year shall be continued until the biennial budget bill 
is enacted. If the budget is enacted after July 1, payments shall be made following 
enactment of the budget to satisfy the obligations incurred on the effective dates, as 
designated by the board, for the new salaries, subject only to the appropriation of 
funds by the legislature and s. 20.928 (3). This paragraph does not limit the 
authority of the board to establish salaries for new appointments. The board may 
not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and 
230.08 (2) (d) under this paragraph unless the salary increase conforms to the 
proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary 
increase to correct salary inequities under par. (h), to fund job reclassifications or 
promotions, or to recognize competitive factors. The board may not increase the 
salary of any position identified in s. 20.923 (4g) under this paragraph unless the 
salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the 
board authorizes the salary increase to correct a salary inequity or to recognize 
competitive factors. The board may not increase the salary of any position identified 
in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the 
appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless 
the increase is approved by the department of employment relations administration. 
The granting of salary increases to recognize competitive factors does not obligate 
inclusion of the annualized amount of the increases in the appropriations under s. 
20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the 
board shall report to the joint committee on finance and the departments department 
of administration and employment relations concerning the amounts of any salary 
increases granted to recognize competitive factors, and the institutions at which they 
are granted, for the 12-month period ending on the preceding June 30.
SECTION 932. 36.11 (6) (c) of the statutes is amended to read:

36.11 (6) (c) By April 10, 1998, and annually thereafter Annually, by April 10, the board shall develop and submit to the higher educational aids board for its review under s. 39.285 (1) a proposed formula for the awarding of grants under s. 39.435, except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year to students enrolled in the system.

SECTION 933. 36.25 (14) of the statutes is amended to read:

36.25 (14) GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant program for minority and disadvantaged graduate students enrolled in the system. The grants shall be awarded from the appropriation appropriations under s. 20.285 (4) (b) and (gm). The board shall give preference in awarding grants under this subsection to residents of this state. The board may not make a grant under this subsection to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 934. 36.25 (38) (a) of the statutes is amended to read:

36.25 (38) (a) In this subsection, “educational technology” has the meaning given in s. 44.70, 115.997 (3).

SECTION 935. 36.25 (38) (b) 6. of the statutes is amended to read:

36.25 (38) (b) 6. To pay the department of electronic government administration for telecommunications services provided under s. 22.05, 16.972 (1).

SECTION 936. 36.27 (1) (am) 2. of the statutes is amended to read:

36.27 (1) (am) 2. The approved recommendations of the secretary of employment relations administration for compensation and fringe benefits for
classified staff, for unclassified employees specified in s. 230.12 (1) (a) 1. b. and for unclassified employees specified in s. 230.12 (3) (e). If these recommendations have not been approved by the joint committee on employment relations by the time the board sets academic fees, the board may raise academic fees for resident undergraduate students by an amount sufficient to fund the recommendations of the secretary of employment relations administration for compensation and fringe benefits for classified staff and for unclassified employees specified in s. 230.12 (1) (a) 1. b. and the board’s recommendations for unclassified employees specified in s. 230.12 (3) (e). If the secretary of employment relations administration has not made recommendations by the time the board sets academic fees, the board may raise academic fees for resident undergraduate students by an amount sufficient to fund the board’s estimate of compensation and fringe benefits for classified staff and for unclassified employees specified in s. 230.12 (1) (a) 1. b. and the board’s recommendations for unclassified employees specified in s. 230.12 (3) (e). If the board sets academic fees based upon the board’s estimate and the board’s unapproved recommendations, and the recommendations of the board and the secretary of employment relations administration as finally approved by the joint committee on employment relations call for a lower rate of compensation and fringe benefits than the board’s estimate and unapproved recommendations, the board shall lower academic student fees for resident undergraduate students for the next academic year by an amount equal to the difference between the academic fees charged and an amount sufficient to fund the approved recommendations. If the board sets academic fees based upon the board’s estimate and unapproved recommendations, and the recommendations of the board and the secretary of employment relations administration as finally approved by the joint committee on
employment relations call for a higher rate of compensation and fringe benefits than the board’s estimate and unapproved recommendations, the board may raise academic student fees for resident undergraduate students for the next academic year by an amount equal to the difference between the academic fees charged and an amount sufficient to fund the approved recommendations.

SECTION 937. 36.27 (2) (cr) of the statutes is created to read:

36.27 (2) (cr) A person who is a citizen of a country other than the United States is entitled to the exemption under par. (a) if that person meets all of the following requirements:

1. The person graduated from a high school in this state or received a high school graduation equivalency from this state.

2. The person was continuously present in this state for at least one year following the first day of attending a high school in this state.

3. The person enrolls in an institution and provides that institution with an affidavit stating that the person has filed or will file an application for a permanent resident visa with the Immigration and Naturalization Service as soon as the person is eligible to do so.

SECTION 938. 36.31 (3) of the statutes is repealed.

SECTION 939. 36.34 (1) (b) of the statutes is amended to read:

36.34 (1) (b) The board shall establish a grant program for minority undergraduates enrolled in the system. The board shall designate all grants under this subsection as Lawton grants. Grants shall be awarded from the appropriation appropriations under s. 20.285 (4) (dd) and (g). The board may not make a grant under this subsection to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment
agreement that has been approved by the county child support agency under s. 59.53
(5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 940. 36.51 (6) of the statutes is amended to read:

36.51 (6) The college campus or institution may file a claim with the
department of public instruction for reimbursement for reasonable expenses
incurred, excluding capital equipment costs, but not to exceed 15% of the cost of the
meal or 50 cents per meal, whichever is less. Any cost in excess of the lesser amount
may be charged to participants. If the department of public instruction approves the
claim, it shall certify that payment is due and the state treasurer secretary of
administration shall pay the claim from the appropriation under s. 20.255 (2) (cn).

SECTION 941. 38.04 (7m) of the statutes is amended to read:

38.04 (7m) FINANCIAL AIDS. By April 10, 1998, and annually thereafter
Annually, by April 10, the board shall develop and submit to the higher educational
aids board Board of Regents of the University of Wisconsin System for its review
under s. 39.285 (1) a proposed formula for the awarding of grants under s. 39.435,
except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year
to students enrolled in the technical colleges.

SECTION 942. 38.04 (19) of the statutes is repealed.

SECTION 943. 38.04 (28) of the statutes is created to read:

38.04 (28) HEALTH CARE EDUCATION PROGRAMS. From the appropriation under
s. 20.292 (1) (ch), the board shall award grants to district boards to expand health
care education programs.

SECTION 944. 38.28 (1m) (a) 1. of the statutes is amended to read:

38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
technical college district, including debt service charges for district bonds and
promissory notes for building programs or capital equipment, but excluding all
expenditures relating to auxiliary enterprises and community service programs, all
expenditures funded by or reimbursed with federal revenues, all receipts under sub.
(6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r), and 146.55 (5), all
receipts from grants awarded under ss. 38.04 (8), (19), (20), (28), and (31), 38.14 (11),
38.26, 38.27, 38.31, 38.33, and 38.38, all fees collected under s. 38.24, and driver
education and chauffeur training aids.

SECTION 945. 38.31 of the statutes is repealed.

SECTION 946. 38.36 (6) of the statutes is amended to read:

38.36 (6) The district board may file a claim with the department of public
instruction for reimbursement for reasonable expenses incurred, excluding capital
equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per meal,
whichever is less. Any cost in excess of the lesser amount may be charged to
participants. If the department of public instruction approves the claim, it shall
certify that payment is due and the state treasurer secretary of administration shall
pay the claim from the appropriation under s. 20.255 (2) (cn).

SECTION 947. 39.11 (16g) of the statutes is amended to read:

39.11 (16g) Expend at least $140,200 in each fiscal year 1994–95 and every
fiscal year thereafter for the development and periodic update of instructional
television programs that are specific to this state for use in schools. Funds may be
expended for the programs from the appropriation under s. 20.225 (1) (f), (g), (h) or
(m).

SECTION 948. 39.155 (1) of the statutes is amended to read:

39.155 (1) Subject to sub. (3), all funds appropriated to the Medical College
of Wisconsin, Inc., under s. 20.250 (1) (a) shall be based on a per capita formula for
an amount for each Wisconsin resident enrolled at the college who is paying full
tuition. A student’s qualification as a resident of this state shall be determined by
the higher educational aids board in accordance with s. 36.27, so far as applicable.

**SECTION 949.** 39.155 (1) of the statutes, as affected by 2003 Wisconsin Act ....
(two acts), is amended to read:

39.155 (1) All funds appropriated to the Medical College of Wisconsin, Inc.,
under s. 20.250 (1) (a) shall be based on a per capita formula for an amount for each
Wisconsin resident enrolled at the college who is paying full tuition. A student’s
qualification as a resident of this state shall be determined by the higher educational
aids board Board of Regents of the University of Wisconsin System in accordance
with s. 36.27, so far as applicable.

**SECTION 950.** 39.155 (2) of the statutes is amended to read:

39.155 (2) On or before January 15 and September 15 of each year, the Medical
College of Wisconsin, Inc., shall submit to the higher educational aids board for its
approval a list of the Wisconsin residents enrolled at the college who are paying full
tuition. The state shall make semiannual payments to the Medical College of
Wisconsin, Inc., from the appropriation under s. 20.250 (1) (a), upon approval of the
list. If the appropriation under s. 20.250 (1) (a) is insufficient to pay the amount
specified to be disbursed under s. 20.250 (1) (a), the payments shall be disbursed on
a prorated basis for each student entitled to such aid. No more than 8 such payments
may be made to the Medical College of Wisconsin, Inc., from the appropriation under
s. 20.250 (1) (a), for any individual student.

**SECTION 951.** 39.155 (2) of the statutes, as affected by 2003 Wisconsin Act ....
(two acts), is amended to read:
39.155 (2) On or before January 15 and September 15 of each year, the Medical College of Wisconsin, Inc., shall submit to the Board of Regents of the University of Wisconsin System for its approval a list of the Wisconsin residents enrolled at the college who are paying full tuition. The state shall make semiannual payments to the Medical College of Wisconsin, Inc., from the appropriation under s. 20.250 (1) (a), upon approval of the list. No more than 8 such payments may be made to the Medical College of Wisconsin, Inc., from the appropriation under s. 20.250 (1) (a), for any individual student.

Section 952. 39.155 (3) of the statutes is repealed.

Section 953. Subchapter III (title) of chapter 39 [precedes 39.26] of the statutes is amended to read:

CHAPTER 39

SUBCHAPTER III

HIGHER EDUCATIONAL AIDS BOARD

Section 954. 39.26 of the statutes is amended to read:

39.26 Definition. In this subchapter, “board” means the Board of Regents of the University of Wisconsin System.

Section 955. 39.28 (1) of the statutes is amended to read:

39.28 (1) The board shall administer the programs under this subchapter and may promulgate such rules establish such policies as are necessary to carry out its functions. The board may accept and use any funds which it that the board receives from participating institutions, lenders, or agencies. The board may enter into such contracts as are necessary to carry out its functions under this subchapter.

Section 956. 39.285 (1) of the statutes is amended to read:
39.285 (1) By May 1, 1998, and annually thereafter, the board shall approve, modify, or disapprove any proposed formula for the awarding of grants for the upcoming academic year submitted under sub. (2) or (3) or s. 36.11 (6) (c) or 38.04 (7m).

 SECTION 957. 39.29 of the statutes is repealed.

 SECTION 958. 39.30 (3m) (b) of the statutes is amended to read:

39.30 (3m) (b) The board may not make initial awards of grants under this section for an academic year in an amount that exceeds 122% of the amount appropriated under s. 20.235 (1) 20.285 (7) (b) for the fiscal year in which the grant may be paid.

 SECTION 959. 39.325 (3) of the statutes is amended to read:

39.325 (3) The board shall promulgate rules and establish policies establishing standards and methods of determining the amounts of loans, rates of interest, and other administrative procedures consistent with P.L. 94-484, on July 29, 1979. The rates of interest shall be set as low as possible, but shall remain sufficient to cover all costs of the program under this section.

 SECTION 960. 39.38 (2) of the statutes is amended to read:

39.38 (2) Grants under this section shall be based on financial need, as determined by the board. The maximum grant shall not exceed $2,200 per year, of which not more than $1,100 may be from the appropriation under s. 20.235 (1) 20.285 (7) (k). State aid from this appropriation may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) 20.285 (7) (gm). Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. The board may not make a
grant under this section to a student whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

**SECTION 961.** 39.39 (2) (a) of the statutes is amended to read:

39.39 (2) (a) Make stipend loans from the appropriations under s. 20.235 (1) 20.285 (7) (cg) and (gg).

**SECTION 962.** 39.39 (2) (b) of the statutes is amended to read:

39.39 (2) (b) Promulgate rules Establish policies to administer this section, including rules policies establishing loan amounts and the criteria and procedures for loan forgiveness and for selecting loan recipients. Loan recipients shall be selected on the basis of financial need, as determined by the board, using the needs analysis methodology used under s. 39.435.

**SECTION 963.** 39.393 (2) of the statutes is amended to read:

39.393 (2) Beginning in the 2002–03 fiscal year, the board shall make loans under this section from the appropriation under s. 20.235 (1) 20.285 (7) (cm). The maximum amount of loan for a person during any fiscal year is $3,000. The maximum that a person may receive under this section is $15,000. The board shall ensure that the terms of the loan do not require a loan recipient to repay the loan while the recipient is enrolled in a program under sub. (1).

**SECTION 964.** 39.393 (4) of the statutes is amended to read:

39.393 (4) The board shall promulgate rules establish policies to implement and administer this section.
SECTION 965. 39.395 (1) of the statutes is amended to read:

39.395 (1) The board shall establish a loan program to defray the cost of tuition for persons enrolled in a teacher education program offered by the Milwaukee Teacher Education Center, a nonstock, nonprofit corporation organized under ch. 181. Loans shall be made from the appropriation under s. 20.235 (1) 20.285 (7) (cu).

SECTION 966. 39.395 (2) (b) of the statutes is amended to read:

39.395 (2) (b) The board shall promulgate rules to administer this section.

SECTION 967. 39.398 (1) (a) of the statutes is amended to read:

39.398 (1) (a) The board shall establish a loan program to defray the cost of tuition, fees, and expenses for residents of this state enrolled in a program that prepares persons to be licensed as teachers of visually impaired pupils or as orientation and mobility instructors, as defined by the board by rule, at an accredited institution of higher education in this state or in a physically adjacent state, as defined in s. 175.46 (1) (d). To the extent possible, the board shall give preference, to persons who are likely to return to this state to work with visually impaired persons.

SECTION 968. 39.398 (1) (b) of the statutes is amended to read:

39.398 (1) (b) The board shall make loans under this section from the appropriation under s. 20.235 (1) 20.285 (7) (cx). The maximum amount of a loan for a person during any fiscal year is $10,000. The maximum amount that a person may receive under this section is $40,000. The terms of the loan shall provide that a loan recipient is not required to repay the loan while the loan recipient is enrolled in the preparatory program described in par. (a).

SECTION 969. 39.398 (2) (b) of the statutes is amended to read:
39.398 (2) (b) The board shall promulgate rules to administer this section.

SECTION 970. 39.40 (3) of the statutes is amended to read:

39.40 (3) Loans under sub. (2) shall be made from the appropriation under s. 20.235 (1) 20.285 (7) (cr). The board shall forgive 25% of the loan and 25% of the interest on the loan for each school year the recipient teaches in a school district described under sub. (2) (d).

SECTION 971. 39.41 (1) (ae) of the statutes is repealed.

SECTION 972. 39.41 (1m) (b) of the statutes is amended to read:

39.41 (1m) (b) By February 15 of each school year, the school board of each school district operating one or more high schools and the governing body of each private high school may, for each high school with an enrollment of less than 80 pupils, nominate the senior with the highest grade point average in all subjects who may be designated as a scholar by the executive secretary board under par. (c) 3.

SECTION 973. 39.41 (1m) (c) (intro.) of the statutes is amended to read:

39.41 (1m) (c) (intro.) The executive secretary board shall:

SECTION 974. 39.41 (1m) (c) 5. of the statutes is amended to read:

39.41 (1m) (c) 5. For each public or private high school with an enrollment of less than 80 pupils, notify the school board of the school district operating the public high school or the governing body of the private high school that the school board or governing body may nominate a senior under par. (b) who may be designated as a scholar by the executive secretary board.

SECTION 975. 39.41 (1m) (cm) of the statutes is amended to read:

39.41 (1m) (cm) The executive secretary board may grant waivers under par. (m).
SECTION 976. 39.41 (1m) (e) of the statutes is amended to read:

39.41 (1m) (e) Except as provided under par. (em), if 2 or more seniors from the same high school of less than 80 pupils have the same grade point average and, except for the limitation of one nominated senior, are otherwise eligible for nomination under par. (b), the faculty of the high school shall select the senior who may be nominated by the school board of the school district operating the public high school or the governing body of the private high school for designation under par. (b) as a scholar by the executive secretary board. If that senior is designated as a scholar by the executive secretary board and does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or more of the remaining seniors with the same grade point average for certification as a scholar and the school board of the school district operating the high school or the governing body of the private high school shall certify to the board one or more of these seniors as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

SECTION 977. 39.41 (1m) (em) of the statutes is amended to read:

39.41 (1m) (em) If the high school weights different courses differently to determine a pupil's grade point average, and the senior designated as a scholar by the executive secretary board under par. (e) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one senior with the same grade point average for certification as a scholar, or, if there is no senior with the same grade point average, one senior with the next highest grade point average for certification as a scholar, and the school board of the school district operating the high school or the governing body of the private high school shall certify to the board the selected senior as eligible for a higher education scholarship.
as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

Section 978. 39.41 (1m) (f) of the statutes is amended to read:

39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin Center for the Blind and Visually Impaired have the same grade point average and, except for the limitation of one designated senior, are otherwise eligible for designation under par. (c) 1., the executive secretary board shall make the designation under par. (c) 1. of the senior who may be eligible for a higher education scholarship as a scholar and, if that senior does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining seniors with the same grade point average as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

Section 979. 39.41 (1m) (fm) of the statutes is amended to read:

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

Section 980. 39.41 (1m) (m) of the statutes is amended to read:
39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its seniors on the basis of grades in academic subjects, the school board of the school district operating the high school or the governing body of the private high school or, for purposes of par. (d), the faculty of the high school may request a waiver from the executive secretary board in order to fulfill its the requirements under par. (a), (b) or (d) on the basis of grade point averages in academic subjects.

SECTION 981. 39.41 (4) (b) of the statutes is amended to read:

39.41 (4) (b) The board shall make the payments under subs. (2) (c) and (3) from the appropriation under s. 20.235 (1) 20.285 (7) (fy).

SECTION 982. 39.41 (8) of the statutes is amended to read:

39.41 (8) The executive secretary board shall promulgate rules enact policies establishing criteria for the designation of scholars under sub. (1m) (c) 3.

SECTION 983. 39.435 (2) of the statutes is amended to read:

39.435 (2) The board shall award talent incentive grants to uniquely needy students enrolled at least half-time as first-time freshmen at public and private nonprofit institutions located in this state and to sophomores, juniors, and seniors who received such grants as freshmen. No grant under this subsection may exceed $1,800 for any academic year. The board may not award a grant to the same student for more than 10 consecutive semesters or their equivalent. The board shall promulgate rules enact policies establishing eligibility criteria for grants under this subsection.

SECTION 984. 39.435 (3) of the statutes is amended to read:

39.435 (3) Grants under sub. (1) shall not be less than $250 during any one academic year, unless the joint committee on finance approves an adjustment in the amount of the minimum grant. Grants under sub. (1) shall not exceed $1,800 during
any one academic year. The board shall, by rule, establish a reporting system to periodically provide student economic data and shall promulgate other rules the board deems necessary to assure uniform administration of the program.

**SECTION 985.** 39.435 (3) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

39.435 (3) Grants under sub. (1) shall not be less than $250 during any one academic year, unless the joint committee on finance approves an adjustment in the amount of the minimum grant. The board shall, by rule, establish enact policies establishing a reporting system to periodically provide student economic data and shall promulgate other rules enact other policies that the board deems considers necessary to assure uniform administration of the program.

**SECTION 986.** 39.435 (7) (a) 1. of the statutes is amended to read:

39.435 (7) (a) 1. For purposes of determining the appropriation under s. 20.235 (1) 20.285 (7) (fe) for each fiscal year after fiscal year 2003−04, “base amount” means the maximum appropriation amount determined under par. (b) for the previous fiscal year.

**SECTION 987.** 39.435 (7) (a) 2. of the statutes is amended to read:

39.435 (7) (a) 2. For purposes of determining the appropriation under s. 20.235 (1) 20.285 (7) (fe) for each fiscal year after fiscal year 2003−04, “base amount” means the maximum appropriation amount determined under par. (b) for the previous fiscal year.

**SECTION 988.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

39.435 (7) (b) (intro.) Annually, by February 1, the board shall determine the appropriation under s. 20.235 (1) 20.285 (7) (fe) for the next fiscal year as follows:

**SECTION 989.** 39.435 (8) of the statutes is created to read:
39.435 (8) The board shall award grants under this section to University of Wisconsin System students from the appropriations under s. 20.235 (1) (fe) and (ke).

SECTION 990. 39.435 (8) of the statutes, as created by 2003 Wisconsin Act .... (this act), is amended to read:

39.435 (8) The board shall award grants under this section to University of Wisconsin System students from the appropriations under s. 20.235 (1) 20.285 (7) (fe) and (ke).

SECTION 991. 39.44 (2) of the statutes is amended to read:

39.44 (2) Funds for the grants under this section shall be distributed from the appropriation under s. 20.235 (1) 20.285 (7) (fg), with 50% distributed to the eligible private institutions and 50% distributed to the eligible technical colleges. The board shall audit the enrollment statistics annually.

SECTION 992. 39.45 (6) of the statutes is amended to read:

39.45 (6) From the appropriation under s. 20.235 (1) 20.285 (7) (fc), the board shall use available funds to make grant awards under this section, but no award may be made before March 1 for the fall semester or session of the upcoming academic year.

SECTION 993. 39.45 (7) of the statutes is amended to read:

39.45 (7) The board shall promulgate rules to administer this section, including policies establishing criteria and procedures for repayment of grants awarded under this section, including interest, by certain grant recipients who no longer reside in this state or do not successfully complete requirements for a degree. The board shall deposit in the general fund as general purpose revenue–earned all repayments of grants awarded under this section and the interest on the grants.
**SECTION 994.** 39.46 (2) (f) of the statutes is repealed.

**SECTION 995.** 40.02 (17) (intro.) of the statutes is amended to read:

40.02 (17) (intro.) “Creditable service” means the creditable current and prior service, expressed in years and fractions of a year to the nearest one-hundredth, for which a participating employee receives or is considered to receive earnings under sub. (22) (e) or (em) and for which contributions have been made as required by s. 40.05 (1) and (2) and creditable military service, service credited under s. 40.25 (7) 40.285 (2) (b) and service credited under s. 40.29, expressed in years and fractions of years to the nearest one-hundredth. How much service in any annual earnings period is the full-time equivalent of one year of creditable service shall be determined by rule by the department and the rules may provide for differing equivalents for different types of employment. Except as provided under pars. (i) and (k) s. 40.285 (2) (e) and (f), the amount of creditable service for periods prior to January 1, 1982, shall be the amount for which the participant was eligible under the applicable laws and rules in effect prior to January 1, 1982. No more than one year of creditable service shall be granted for any annual earnings period. Creditable service is determined in the following manner for the following persons:

**SECTION 996.** 40.02 (17) (b) of the statutes is renumbered 40.285 (2) (d) and amended to read:

40.285 (2) (d) **Qualifying service.** Each participating employee in the Wisconsin retirement system whose creditable service terminates on or after January 1, 1982, who was previously a participant in the Wisconsin retirement fund and who has not received a separation benefit may receive creditable service equal to the period of service during any qualifying period under s. 41.02 (6) (c), 1969 stats., s. 66.901 (4) (d), 1967 stats., or under any predecessor statute, but not to exceed 6 months. The
additional creditable service shall be granted upon application by the employee if the
applicant pays to the department a lump sum payment equal to 5% of one-twelfth
of the employee’s highest earnings in a single annual earnings period multiplied by
the number of months of creditable service granted under this paragraph. That
amount shall be credited and treated as an employee required contribution for all
purposes of the Wisconsin retirement system.

Section 997. 40.02 (17) (e) of the statutes is renumbered 40.285 (2) (c) and
amended to read:

40.285 (2) (c) Uncredited elected official and executive participating employee
service. Each executive participating employee whose creditable service terminates
on or after May 3, 1988, and each participating employee who is a present or former
elected official or an appointee of a present or former elected official and who did not
receive creditable service under s. 40.02 (17) (e), 1987 stats., or s. 40.02 (17) (e), 1989
stats., and whose creditable service terminates on or after August 15, 1991, who was
previously in the position of the president of the University of Wisconsin System or
in a position designated under s. 20.923 (4), (8), or (9), but did not receive creditable
service because of age restrictions, may receive creditable service equal to the period
of executive service not credited if the participant pays to the department a lump sum
payment equal to 5.5% of one-twelfth of the employee’s highest earnings in a single
annual earnings period multiplied by the number of months of creditable service
granted under this paragraph. That amount shall be credited and treated as an
employee required contribution for all purposes of the Wisconsin retirement system.

Section 998. 40.02 (17) (i) of the statutes is renumbered 40.285 (2) (e), and
40.285 (2) (e) (intro.) and 3., as renumbered, are amended to read:
40.285 (2) (e) Teacher improvement leave. (intro.) Each participating employee in the Wisconsin retirement system whose creditable service terminates on or after April 25, 1990, and whose earnings include compensation for teacher improvement leave granted by the board of regents of the Wisconsin state colleges State Colleges during the period beginning on January 1, 1964, and ending on August 31, 1967, in a written and satisfied contract, may receive creditable service for the period for which those earnings were received in an amount not to exceed one year if all of the following apply:

3. The participant pays to the department a lump sum equal to 5% of one-twelfth of the employee’s highest earnings in a single annual earnings period multiplied by the number of months of creditable service that is granted under this paragraph. That amount shall be credited and treated as employee required contributions for all purposes of the Wisconsin retirement system. No

4. The employer may does not pay any amount payable under this subdivision paragraph on behalf of any participating employee.

SECTION 999. 40.02 (17) (k) of the statutes is renumbered 40.285 (2) (f) and amended to read:

40.285 (2) (f) Uncredited junior teaching service. Each participating employee whose creditable service terminates on or after May 11, 1990, and who submits to the department proof that the participant performed service in this state as a junior teacher, as defined in s. 42.20 (6), 1955 stats., that was not credited under s. 42.40, 1955 stats., shall receive creditable service for the period for which that service was performed, even if the participant did not become a member of the state teachers retirement system after performing that service, if all of the following occur:
1. The participant pays to the department a lump sum equal to 5% of one-twelfth of the employee’s highest earnings in a single annual earnings period multiplied by the number of months of creditable service that is granted under this paragraph. That amount shall be credited and treated as employee required contributions for all purposes of the Wisconsin retirement system. No

2. The employer may not pay any amount payable under this paragraph on behalf of any participating employee.

SECTION 1000. 40.02 (25) (b) 2m. of the statutes is repealed.

SECTION 1001. 40.02 (25) (b) 6e. of the statutes is created to read:

40.02 (25) (b) 6e. A state employee who terminates creditable service after attaining 20 years of creditable service, remains a participant, and is not eligible for an immediate annuity.

SECTION 1002. 40.03 (6) (c) of the statutes is amended to read:

40.03 (6) (c) Shall not enter into any agreements to modify or expand group insurance coverage in a manner which conflicts with this chapter or rules of the department or materially affects the level of premiums required to be paid by the state or its employees, or the level of benefits to be provided, under any group insurance coverage. This restriction shall not be construed to prevent modifications required by law, prohibit the group insurance board from modifying the standard plan to establish a more cost effective benefit plan design or providing optional insurance coverages as alternatives to the standard insurance coverage when any excess of required premium over the premium for the standard coverage is paid by the employee or prohibit the group insurance board from providing other plans as authorized under par. (b).

SECTION 1003. 40.04 (3) (c) of the statutes is amended to read:
SECTION 1003

40.04 (3) (c) The department shall advise the investment board and the state treasurer secretary of administration as to the limitations on the amounts of cash to be invested from investment trusts under this subsection in order to maintain the cash balances deemed advisable to meet current annuity, benefit and expense requirements.

SECTION 1004. 40.05 (1) (a) 7. of the statutes is repealed.

SECTION 1005. 40.05 (1) (b) of the statutes is amended to read:

40.05 (1) (b) In lieu of employee payment, the employer may pay all or part of the contributions required by par. (a), but all the payments shall be available for benefit purposes to the same extent as required contributions deducted from earnings of the participating employees. Action to assume employee contributions as provided under this paragraph shall be taken at the time and in the form determined by the governing body of the participating employer. The state shall pay under this paragraph for employees who are covered by a collective bargaining agreement under subch. V of ch. 111 and for employees whose fringe benefits are determined under s. 230.12 an amount equal to 4% of the earnings paid by the state unless otherwise provided in a collective bargaining agreement under subch. V of ch. 111 or unless otherwise determined under s. 230.12. The University of Wisconsin Hospitals and Clinics Authority shall pay under this paragraph for employees who are covered by a collective bargaining agreement under subch. I of ch. 111 and for employees whose fringe benefits are determined under s. 233.10 an amount equal to 4% of the earnings paid by the authority unless otherwise provided in a collective bargaining agreement under subch. I of ch. 111 or unless otherwise determined under s. 233.10. The state shall pay under this paragraph for employees who are not covered by a collective bargaining agreement under subch. V of ch. 111 and for
employees whose fringe benefits are not determined under s. 230.12 an amount equal
to 4% of the earnings paid by the state unless a different amount is recommended by
the secretary of employment relations administration and approved by the joint
committee on employment relations in the manner provided for approval of changes
in the compensation plan under s. 230.12 (3). The University of Wisconsin Hospitals
and Clinics Authority shall pay under this paragraph for its employees who are not
covered by a collective bargaining agreement under subch. I of ch. 111 an amount
equal to 4% of the earnings paid by the authority unless a different amount is
established by the board of directors of the authority under s. 233.10.

**SECTION 1006.** 40.05 (2) (bw) of the statutes is amended to read:

40.05 (2) (bw) The employer contribution rate determined under par. (b) for the
University of Wisconsin System shall be adjusted to reflect the cost of granting
creditable service under s. 40.02 (17) (i) 40.285 (2) (e) and that rate shall be sufficient
to amortize the unfunded prior service liability of the employers over the remainder
of the 40-year amortization period under par. (b).

**SECTION 1007.** 40.05 (2) (g) 1. of the statutes is amended to read:

40.05 (2) (g) 1. A participating employer may make contributions as provided
in its compensation agreements for any participating employee in addition to the
employer contributions required by this subsection. The additional employer
contributions made under this paragraph shall be available for all benefit purposes
and shall be administered and invested on the same basis as employee additional
contributions made under sub. (1) (a) 5., except that ss. 40.24 (1) (f) and 40.25 (4),
and (6) (a) 3. 40.285 (2) (a) 1. c. do not apply to additional employer contributions
made under this paragraph.

**SECTION 1008.** 40.05 (4) (a) 2. of the statutes is amended to read:
40.05 (4) (a) 2. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2m., the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the date on which the employee becomes insured. For an insured employee who is currently employed but who is not an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2m., the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee begins employment with the state, not including any leave of absence.

SECTION 1009. 40.05 (4) (ag) of the statutes is repealed and recreated to read:

40.05 (4) (ag) Except as otherwise provided in accordance with a collective bargaining agreement under subch. I or V of ch. 111 or s. 230.12 or 233.10, the employer shall pay for its currently employed insured employees:

1. For insured part-time employees, including those in project positions as defined in s. 230.27 (1), who are appointed to work less than 1,044 hours per year, an amount equal to 50% of the employer contribution under subd. 2.

2. For eligible employees not specified in subd. 1., regardless of the plan selected by the employee, not less than 80% of the average premium cost of plans offered in the tier with the lowest employee premium cost under s. 40.51 (6).

SECTION 1010. 40.05 (4) (ar) of the statutes is amended to read:

40.05 (4) (ar) The employer shall pay under par. (a) for employees who are not covered by a collective bargaining agreement under subch. I or V of ch. 111 and for employees whose health insurance premium contribution rates are not determined under s. 230.12 or 233.10 an amount equal to the amount specified in par. (ag) unless a different amount is recommended by the secretary of employment relations.
SECTuON 1010. 40.05 (4) (b) of the statutes is amended to read:

40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch. I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee’s current highest basic pay rate he or she received while employed by the state, to credits for payment of health insurance premiums on behalf of the employee or the employee’s surviving insured dependents. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor, or education director for the employee’s completion of educational courses that have been approved by the employee’s employer is considered as part of the employee’s basic pay for purposes of this paragraph. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. Upon conversion of an employee’s unused sick leave to credits under this paragraph or par. (bf), the employee or, if the employee is deceased, the employee’s surviving insured
dependents may initiate deductions from those credits or may elect to delay
initiation of deductions from those credits, but only if the employee or surviving
insured dependents are covered by a comparable health insurance plan or policy
during the period beginning on the date of the conversion and ending on the date on
which the employee or surviving insured dependents later elect to initiate
deductions from those credits. If an employee or an employee’s surviving insured
dependents elect to delay initiation of deductions from those credits, an employee or
the employee’s surviving insured dependents may only later elect to initiate
deductions from those credits during the annual enrollment period under par. (be).
A health insurance plan or policy is considered comparable if it provides hospital and
medical benefits that are substantially equivalent to the standard health insurance
plan established under s. 40.52 (1).

SECTION 1011. 40.05 (4) (bc) of the statutes is amended to read:

40.05 (4) (bc) The accumulated unused sick leave of an eligible employee under
s. 40.02 (25) (b) 6e. or 6g. shall be converted to credits for the payment of health
insurance premiums on behalf of the employee on the date on which the department
receives the employee’s application for a retirement annuity or for lump sum
payment under s. 40.25 (1). The employee’s unused sick leave shall be converted at
the eligible employee’s highest basic pay rate immediately prior to termination of all
creditable service he or she received while employed by the state. The full premium
for the employee, or for the surviving insured dependents of the employee if the
employee later becomes deceased, shall be deducted from the credits until the credits
are exhausted and paid from the account under s. 40.04 (10), and then deducted from
annuity payments, if the annuity is sufficient. The department shall provide for the
direct payment of premiums by the insured to the insurer if the premium to be
withheld exceeds the annuity payment.

**SECTION 1013.** 40.05 (4) (bf) of the statutes is amended to read:

40.05 (4) (bf) Any eligible employee who was granted credit under s. 230.35 (1)
(gm) for service as a national guard technician, who, on December 31, 1965, had
accumulated unused sick leave that was based on service performed in this state as
a national guard technician before January 1, 1966, and who is a participating
employee or terminated all creditable service after June 30, 1972, or, if the eligible
employee is deceased, the surviving insured dependents of the eligible employee,
may have that accumulated unused sick leave converted to credits for the payment
of health insurance premiums on behalf of the eligible employee or the surviving
insured dependents if, not later than November 30, 1996, the eligible employee or the
surviving insured dependents submit to the department, on a form provided by the
department, an application for the conversion. The application shall include
evidence satisfactory to the department to establish the applicant's rights under this
paragraph and the amount of the accumulated unused sick leave that is eligible for
the conversion. The accumulated unused sick leave shall be converted under this
paragraph, at the eligible employee's highest basic pay rate immediately prior to
termination of all creditable service he or she received while employed by the state,
on the date of conversion specified in par. (b) or on the last day of the 2nd month
beginning after the date on which the department receives the application under this
paragraph, whichever is later. Deductions from those credits, elections to delay
initiation of those deductions and premium payments shall be made as provided in
par. (b).

**SECTION 1014.** 40.05 (4) (bm) of the statutes is amended to read:
40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employee shall, upon request of the employee at the time the employee is subject to layoff under s. 40.02 (40), be converted at the employee’s current highest basic pay rate he or she received while employed by the state to credits for payment of health insurance premiums on behalf of the employee. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor or education director for the employee’s completion of educational courses that have been approved by the employee’s employer is considered as part of the employee’s basic pay for purposes of this paragraph. The full amount of the required employee contribution for any eligible employee who is insured at the time of the layoff shall be deducted from the credits until the credits are exhausted, the employee is reemployed, or 5 years have elapsed from the date of layoff, whichever occurs first.

SECTION 1015. 40.05 (4g) (a) 4. of the statutes is amended to read:

40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a) or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or under rules promulgated by the secretary of employment relations administration or is eligible for reemployment with the state under s. 45.50 after completion of his or her service in the U.S. armed forces.

SECTION 1016. 40.06 (1) (dm) of the statutes is amended to read:

40.06 (1) (dm) Each determination by a department head regarding the classification of a state employee as a protective occupation participant shall be reviewed by the department of employment relations administration. A state employee’s name may not be certified to the fund as a protective occupation
participant under par. (d) until the department of employment relations administration approves the determination.

SECTION 1017. 40.23 (1) (a) of the statutes is amended to read:

40.23 (1) (a) Except as provided in par. (am), any participant who has attained age 55, and any protective occupation participant who has attained age 50, on or before the annuity effective date shall be entitled to a retirement annuity in accordance with the actuarial tables in effect on the effective date of the annuity if the participant submits an application for a retirement annuity on a form furnished by the department and all any of the following apply applies:

1. The participant is not on a leave of absence from any participating employer and is separated, regardless of cause, and continues to be separated until the annuity effective date, the date 30 days after the application is received by the department or the date 30 days after separation, whichever is later, from all employment meeting the qualifications for inclusion specified in s. 40.22 for any participating employer.

2. The participant is not on authorized leave of absence from any participating employer separated from all covered employment but terminates all employment with a participating employer and is employed by a different participating employer, as determined under any applicable provision of the Internal Revenue Code. A participant whose annuity is based on such a termination shall be treated under s. 40.26 with respect to all employment subsequent to that termination.

SECTION 1018. 40.23 (1) (a) 3. of the statutes is created to read:

40.23 (1) (a) 3. The participant has attained normal retirement age or a combination of age and creditable service as of the annuity effective date such that the annuity reduction calculated in the manner specified under sub. (2m) (f) is zero
or less, regardless of whether the participant’s annuity benefit is actually paid under sub. (3).

**SECTION 1019.** 40.23 (2m) (em) 1. a. of the statutes is amended to read:

40.23 (2m) (em) 1. a. Any creditable service forfeited by a participating employee before January 1, 2000, and which is subsequently reestablished by the participating employee under s. 40.25 (6) 40.285 (2) (a), shall be considered to have been performed before January 1, 2000.

**SECTION 1020.** 40.23 (2m) (em) 1. b. of the statutes is amended to read:

40.23 (2m) (em) 1. b. Any creditable service received under s. 40.25 (7) 40.285 (2) (b), which is based on service performed before January 1, 2000, shall be considered to have been performed before January 1, 2000.

**SECTION 1021.** 40.25 (2) of the statutes is amended to read:

40.25 (2) Subject to sub. (2t), if s. 40.23 (1) (a) 1. applies and all requirements for payment of a retirement annuity are met except attainment of age 55 or age 50 for protective occupation participants, a separation benefit may be paid, if the participant’s written application for a separation benefit is received by the department prior to the participant’s 55th birthday or 50th birthday for protective occupation participants, in an amount equal to the additional and employee required contribution accumulations of the participant on the date the application for a separation benefit is approved.

**SECTION 1022.** 40.25 (3) of the statutes is amended to read:

40.25 (3) Upon administrative approval of payment of an amount under either sub. (1) or (2), the participant’s account shall be closed and there shall be no further right, interest or claim on the part of the former participant to any benefit from the Wisconsin retirement system except as provided by subs. sub. (5) and (6) s. 40.285
(2) (a) Any former participant who is subsequently employed by any participating employer shall be treated as a new participating employee for all purposes of this chapter. New accumulations of contributions and credits and the computation of any future benefits shall bear no relationship to any accumulations and credits paid as single sums under sub. (1) or (2).

SECTION 1023. 40.25 (6) of the statutes is repealed.

SECTION 1024. 40.25 (7) of the statutes is repealed.

SECTION 1025. 40.285 of the statutes is created to read:

40.285 Purchase of creditable service. (1) General requirements. (a) Deadline for purchase of creditable service. An application to purchase creditable service must be received by the department, on a form provided by the department, from an applicant who is a participating employee on the day that the department receives the application.

(b) Calculation of creditable service. Creditable service purchased under this section shall be calculated in an amount equal to the year and fractions of a year to the nearest one-hundredth of a year.

(c) Use of creditable service. Credit for service purchased under this section is added to a participant’s total creditable service, but may not be treated as service for a particular annual earnings period and does not confer any other rights or benefits.

(d) Applicability of Internal Revenue Code. The crediting of service under this section is subject to any applicable limit or requirement under the Internal Revenue Code.

(2) Conditions for the purchase of different types of creditable service. (a) Forfeited service. 1. A participating employee may purchase creditable service forfeited in the manner specified in subd. 2., subject to all of the following:
a. The participating employee must have at least 3 continuous years of creditable service at the time of application to purchase the creditable service.


c. The participating employee pays to the fund an amount equal to the employee’s statutory contribution on earnings under s. 40.05 (1) (a) for each year of forfeited service to be purchased, based upon the participating employee’s final average earnings, determined as if the employee had retired on the first day of the annual earnings period during which the department receives the application. The amount payable shall be paid in a lump sum payment, except as provided in sub. (4) (b), and no employer may pay any amount payable on behalf of a participating employee.

d. Upon receipt by the fund of the total payment required under this subdivision, the creditable service meeting the conditions and requirements of this paragraph shall be credited to the account of the participating employee making the payment.
2. Creditable service may be purchased under this paragraph if it was forfeited as a result of any of the following:

   a. Payment of an amount under s. 40.25 (2).
   
   b. The receipt of a separation or withdrawal benefit under the applicable laws and rules in effect prior to January 1, 1982.
   

3. Unless otherwise provided by the department by rule, a participating employee may not purchase creditable service under this paragraph more than 2 times in any calendar year.

(b) Other governmental service. 1. Each participating employee whose creditable service terminates on or after May 1, 1992, and who has performed service, other than military service, as an employee of the federal government or a state or local governmental entity in the United States, other than a participating employer, that is located within or outside of this state, or each participating employee whose creditable service terminates on or after May 4, 1994, and who has performed service as an employee for an employer who was not at the time a participating employer but who subsequently became a participating employer, may receive creditable service for such service if all of the following occur:

   a. The participant has at least 3 continuous years of creditable service at the time of application.


c. At the time of application, the participant furnishes evidence of such service that is acceptable to the department.

d. Except as provided in sub. (4) (b), at the time of application, the participant pays to the department a lump sum equal to the present value of the creditable service applied for under this paragraph, in accordance with rates actuarially determined to be sufficient to fund the cost of the increased benefits that will result from granting the creditable service under this paragraph. The department shall by rule establish different rates for different categories of participants, based on factors recommended by the actuary.

2. The creditable service granted under this paragraph shall be the same type of creditable service as the type that is granted to participants who are not executive participating employees, elected officials, or protective occupation participants.

3. A participating employee may apply to receive part or all of the creditable service that he or she is eligible to receive under this paragraph.

4. A participant may not receive creditable service under this paragraph for service that is used for the purpose of establishing entitlement to, or the amount of, any other benefit to be paid by any federal, state, or local government entity, except a disability or OASDHI benefit or a benefit paid for service in the national guard.
5. Unless otherwise provided by the department by rule, a participating employee may not purchase creditable service under this paragraph more than 2 times in any calendar year.

(3) Application process. (a) Provision of application forms and estimates. Upon request, the department shall provide a participating employee an application form for the purchase of creditable service under sub. (2) and shall also provide to the participating employee an estimate of the cost of purchasing the creditable service.

(b) Certification of plan-to-plan transfers. Upon request, the department shall provide a participating employee a transfer certification form for payments made by a plan-to-plan transfer under sub. (5) (b). If the participating employee intends to make payments from more than one plan, the participating employee must submit to the department a separate transfer certification form for each plan from which moneys will be transferred.

(4) Payment. (a) Required with application. Except as provided in par. (b), the department may not accept an application for the purchase of creditable service without payment in full of the department's estimated cost of creditable service accompanying the application. A participating employee may also do any of the following:

1. Use his or her accumulated after-tax additional contributions that are made under s. 40.05 (1) (a) 5., including interest, to make payment.

2. Use his or her accumulated contributions, including interest, to a tax sheltered annuity under section 403 (b) of the Internal Revenue Code, to make payment, but only if the participating employee's plan under section 403 (b) of the Internal Revenue Code authorizes the transfer.
(b) Alternate payment options. Notwithstanding par. (a), the department may accept an application under this section without full payment if payment of at least 10% of the department’s estimate of the cost of the creditable service is included with the application, in the manner required under par. (a), and the remaining balance is received by the department no later than 90 days after receipt of the application, in the form of a plan-to-plan transfer under sub. (5) (b).

(c) Final cost calculation for purchase of creditable service. The department may audit any transaction to purchase creditable service under this subsection and make any necessary correction to the estimated cost of purchasing the creditable service to reflect the amount due under sub. (2). Except as otherwise provided in sub. (7), if the department determines that the final amount that is due is more than the amount paid to the department, the department shall notify the participant of the amount of the shortfall. If payment of the amount of the shortfall is not received by the department within 30 calendar days after the date on which the department sends notice to the participant, the department shall complete the creditable service purchase transaction by prorating the amount of creditable service that is purchased based on the payment amount actually received and shall notify the participant of the amount and category of service that is credited. The department, by rule, shall specify how a forfeited service purchase is prorated when the participant forfeited service under more than one category of employment under s. 40.23 (2m) (e).

(d) Treatment of amounts to purchase creditable service. All amounts retained by the department for the purchase of creditable service under sub. (2) shall be credited and treated as employee required contributions for all purposes of the Wisconsin retirement system, except that amounts received for the purchase of
creditable service under sub. (2) (b) may not be used for the purpose of making calculations under s. 40.23 (3) or 40.73 (1) (am).

(5) TRANSFER OF FUNDS; PLAN-TO-PLAN TRANSFERS. (a) Transfer from certain benefit plans. Subject to any applicable limitations under the Internal Revenue Code, a participating employee may elect to use part or all of any of the following to purchase creditable service under this section:

1. Accumulated after-tax additional contributions, including interest, made under s. 40.05 (1) (a) 5.

2. Accumulated contributions treated by the department as contributions to a tax sheltered annuity under section 403 (b) of the Internal Revenue Code, but only if the employer sponsoring the annuity plan authorizes the transfer.

(b) Other plan-to-plan transfers. The department may also accept a plan to plan transfer from any of the following:

1. Accumulated contributions under a state deferred compensation plan under subch. VII.

2. The trustee of any plan qualified under sections 401 (a) or (k), 403 (b), or 457 of the Internal Revenue Code, but only if the purpose of the transfer is to purchase creditable service under this section.

(c) Payment shortfall. Except as otherwise provided in sub. (7), if the department determines that the amount paid to the department to purchase creditable service under this subsection, together with the amount transferred under a plan-to-plan transfer, is less than the amount that is required to purchase the creditable service, the department shall notify the participant of the amount of the shortfall. If payment of the amount of the shortfall is not received by the department within 30 calendar days after the date on which the department sends
notice to the participant, the department shall complete the creditable service
purchase transaction by prorating the amount of creditable service that is purchased
based on the payment amount actually received and shall notify the participant of
the amount and category of service that is credited. The department, by rule, shall
specify how a forfeited service purchase is prorated when the participant forfeited
service under more than one category of employment under s. 40.23 (2m) (e).

(6) REFUNDS. Except as provided in sub. (7), if the department determines that
the amount paid to the department to purchase creditable service, including any
amount in a plan-to-plan transfer, is greater than the amount that is required to
purchase the creditable service, as determined by the department, the department
shall refund the difference. The department shall pay any refund to the participant,
up to the amount received from the participant. Any remaining amount shall be
returned to the applicable account in the trust fund for transfers under sub. (5) (a)
or to the trustee of a plan which was the source of a plan-to-plan transfer under sub.
(5) (b). When more than one plan-to-plan transfer occurs, the department may
determine which transfer is to be refunded, in whole or part. No funds transferred
to the department by a plan-to-plan transfer may be refunded to a participant.

(7) LIMIT ON PAYMENT OF CORRECTIONS. The department may not require a
participant to pay any shortfall under sub. (4) (c) or (5) (c) that is $25 or less. The
department may not pay any refund under sub. (6) if the amount of the refund is $25
or less.

SECTION 1026. 40.51 (6) of the statutes is amended to read:

40.51 (6) This state shall offer to all of its employees at least 2 insured or
uninsured health care coverage plans providing substantially equivalent hospital
and medical benefits, including a health maintenance organization or a preferred
provider plan, if those health care plans are determined by the group insurance board to be available in the area of the place of employment and are approved by the group insurance board. The group insurance board shall place each of the plans into one of 3 tiers established in accordance with standards adopted by the group insurance board. The tiers shall be separated according to the employee’s share of premium costs.

**SECTION 1027.** 40.98 (2) (h) of the statutes is amended to read:

40.98 (2) (h) The department may seek funding from any person for the payment of costs of designing, marketing, and contracting for or providing administrative services under the health care coverage program and for lapsing to the general fund any amount required under sub. (6m). Any moneys received by the department under this paragraph shall be credited to the appropriation account under s. 20.515 (2) (g).

**SECTION 1028.** 40.98 (6m) of the statutes is repealed.

**SECTION 1029.** 42.035 of the statutes is amended to read:

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

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

**SECTION 1030.** 43.24 (1) (c) of the statutes is amended to read:

43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid
appropriated for public library systems under s. 20.255 (3) (e) and (qm), as
determined by the department, equals at least 11.25% of the total operating
expenditures for public library services from local and county sources in the calendar
year ending in that fiscal year, the amount paid to each system shall be determined
by adding the result of each of the following calculations:

1. Multiply the system's percentage of the state's population by the product of
the amount appropriated under s. 20.255 (3) (e) and (qm) and 0.85.

2. Multiply the system's percentage of the state's geographical area by the
product of the amount appropriated under s. 20.255 (3) (e) and (qm) and 0.075.

3. Divide the sum of the payments to the municipalities and counties in the
system under subch. I of ch. 79 for the current fiscal year, as reflected in the
statement of estimated payments under s. 79.015, by the total of all payments under
subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated
payments under s. 79.015, and multiply the result by the product of the amount
appropriated under s. 20.255 (3) (e) and (qm) and 0.075.

**SECTION 1031.** 43.24 (3) of the statutes is amended to read:

43.24 (3) Annually, the division shall review the reports and proposed service
plans submitted by the public library systems under s. 43.17 (5) for conformity with
this chapter and such rules and standards as are applicable. Upon approval, the
division shall certify to the department of administration an estimated amount to
which each system is entitled under this section. Annually on or before December
1 of the year immediately preceding the year for which aids are to be paid, the
department of administration shall pay each system 75% of the certified estimated
amount from the appropriation appropriations under s. 20.255 (3) (e) and (qm). The
division shall, on or before the following April 30, certify to the department of
administration the actual amount to which the system is entitled under this section.
On or before July 1, the department of administration shall pay each system the
difference between the amount paid on December 1 of the prior year and the certified
actual amount of aid to which the system is entitled from the appropriation
appropriations under s. 20.255 (3) (e) and (qm). The division may reduce state aid
payments when any system or any participant thereof fails to meet the requirements
of sub. (2). Beginning September 1, 1991, the division may reduce state aid payments
to any system if the system or any participant in the system fails to meet the
requirements of s. 43.15 (4).

SECTION 1032. 43.24 (3m) of the statutes is amended to read:

43.24 (3m) If the appropriation appropriations under s. 20.255 (3) (e) and (qm)
in any one year is are insufficient to pay the full amount under sub. (1), state aid
payments shall be prorated among the library systems entitled to such aid.

SECTION 1033. 43.70 (3) of the statutes is amended to read:

43.70 (3) Immediately upon making such apportionment, the state
superintendent shall certify to the department of administration the estimated
amount that each school district is entitled to receive under this section and shall
notify each school district administrator of the estimated amount so certified for his
or her school district. The department of administration shall issue its warrants
upon which the state treasurer shall distribute each school district’s aid entitlement in one payment on or before May 1. The amount paid to each school district shall be based upon the amount in the appropriation account under s. 20.255 (2) (s) on April 15. All moneys distributed under this section shall be expended for the purchase of instructional materials from the state historical society for use in teaching Wisconsin history and for the purchase of library books and other instructional materials for school libraries, but not for public library facilities operated by school districts under s. 43.52, in accordance with rules promulgated by the state superintendent. Appropriate records of such purchases shall be kept and necessary reports thereon shall be made to the state superintendent.

SECTION 1033. Chapter 44 (title) of the statutes is amended to read:

CHAPTER 44

HISTORICAL SOCIETIES, AND ARTS

BOARD AND TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT IN WISCONSIN BOARD

SECTION 1034. Subchapter IV (title) of chapter 44 [precedes 44.70] of the statutes is repealed.

SECTION 1035. 44.70 (intro.) of the statutes is renumbered 115.997 (intro.).

SECTION 1036. 44.70 (1) of the statutes is repealed.

SECTION 1037. 44.70 (1d) of the statutes is renumbered 115.997 (1d).

SECTION 1038. 44.70 (1m) of the statutes is renumbered 115.997 (1m).

SECTION 1039. 44.70 (2) of the statutes is repealed.

SECTION 1040. 44.70 (2g) of the statutes is renumbered 115.997 (2g) and amended to read:
115.997 (2g) “Educational agency” means a school district, charter school sponsor, secured correctional facility, private school, cooperative educational service agency, technical college district, private college, public library system, public library board, public museum, the Wisconsin Center for the Blind and Visually Impaired, or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing.

**SECTION 1041.**

115.997 (2g) “Educational agency” means a school district, charter school sponsor, secured correctional facility, private school, cooperative educational service agency, technical college district, private college, public library system, public library board, public museum, the Wisconsin Center for the Blind and Visually Impaired, or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing.

1. **SECTION 1042.** 44.70 (3) of the statutes is renumbered 115.997 (3).
2. **SECTION 1043.** 44.70 (3d) of the statutes is renumbered 115.997 (3d).
3. **SECTION 1044.** 44.70 (3g) of the statutes is renumbered 115.997 (3g).
4. **SECTION 1045.** 44.70 (3j) of the statutes is renumbered 115.997 (3j).
5. **SECTION 1046.** 44.70 (3m) of the statutes is renumbered 115.997 (3m).
6. **SECTION 1047.** 44.70 (3r) of the statutes is renumbered 115.997 (3r).
7. **SECTION 1048.** 44.70 (4) of the statutes is renumbered 115.997 (4).
8. **SECTION 1049.** 44.70 (5) of the statutes is renumbered 115.997 (5).
9. **SECTION 1050.** 44.70 (6) of the statutes is renumbered 115.997 (6).
10. **SECTION 1051.** 44.71 (title) of the statutes is repealed.
11. **SECTION 1052.** 44.71 (1) of the statutes is repealed.
12. **SECTION 1053.** 44.71 (2) (intro.) of the statutes is renumbered 115.998 (intro.) and amended to read:

13. 115.998 Duties Technology for educational achievement in Wisconsin; departmental duties. (intro.) The board department shall do all of the following:

14. **SECTION 1054.** 44.71 (2) (a) of the statutes is renumbered 115.998 (1) and amended to read:

15. 115.998 (1) In cooperation with school districts, cooperative educational service agencies, the technical college system board, the board of regents of the University of Wisconsin System, and the department of administration, promote the
efficient, cost-effective procurement, installation, and maintenance of educational
technology by school districts, cooperative educational service agencies, technical
college districts, and the University of Wisconsin System.

**SECTION 1055.** 44.71 (2) (b) of the statutes is renumbered 115.998 (2).

**SECTION 1056.** 44.71 (2) (c) of the statutes is renumbered 115.998 (3) and
amended to read:

115.998 (3) With the consent of the department of administration, enter into
cooporative purchasing agreements under s. 16.73 (1) under which participating
school districts and cooperative educational service agencies may contract for their
professional employees to receive training concerning the effective use of educational
technology.

**SECTION 1057.** 44.71 (2) (d) of the statutes is renumbered 115.998 (4) and
amended to read:

115.998 (4) In cooperation with the board of regents of the University of
Wisconsin System, the technical college system board, the department of public
instruction and other entities, support the development of courses for the instruction
of professional employees who are licensed by the state superintendent of public
instruction concerning the effective use of educational technology.

**SECTION 1058.** 44.71 (2) (e) of the statutes is renumbered 115.998 (5) and
amended to read:

115.998 (5) Subject to s. 44.73 (5), in cooperation with the department of
administration, provide telecommunications access to educational agencies under
the program established under s. 44.73 115.9995.

**SECTION 1059.** 44.71 (2) (f) of the statutes is renumbered 115.998 (6) and
amended to read:
115.998 (6) No later than October 1 of each even-numbered year, submit a biennial report concerning the department's activities under this subchapter to the governor, and to the appropriate standing committees of the legislature under s. 13.172 (3).

SECTION 1060. 44.71 (2) (g) of the statutes is renumbered 115.998 (7) and amended to read:

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

SECTION 1061. 44.71 (2) (h) of the statutes is renumbered 115.998 (8) and amended to read:

115.998 (8) With the approval of the department of electronic government, purchase educational technology equipment for use by school districts, cooperative educational service agencies, and public educational institutions in this state and permit the districts, agencies, and institutions to purchase or lease the equipment, with an option to purchase the equipment at a later date. This paragraph subsection does not require the purchase or lease of any educational technology equipment from the board department.

SECTION 1062. 44.71 (2) (i) of the statutes is renumbered 115.998 (9).
SECTION 1063. 44.71 (3) of the statutes is repealed.

SECTION 1064. 44.72 (title) of the statutes is repealed.

SECTION 1065. 44.72 (1) of the statutes is repealed.

SECTION 1066. 44.72 (2) of the statutes is repealed.

SECTION 1067. 44.72 (3) of the statutes is repealed.

SECTION 1068. 44.72 (4) (title) of the statutes is renumbered 115.999 (title).

SECTION 1069. 44.72 (4) (a) of the statutes is renumbered 115.999 (1) and amended to read:

115.999 (1) Financial assistance authorized. The department may provide financial assistance under this subsection to school districts and charter school sponsors from the proceeds of public debt contracted under s. 20.866 (2) (zc) and to public library boards from the proceeds of public debt contracted under s. 20.866 (2) (zcm). Financial assistance under this subsection may be used only for the purpose of upgrading the electrical wiring of school and library buildings in existence on October 14, 1997, and installing and upgrading computer network wiring. Except as provided in sub. (3m), the department may not provide any financial assistance under this section after the effective date of this subsection .... [revisor inserts date].

SECTION 1070. 44.72 (4) (b) of the statutes is renumbered 115.999 (2) and amended to read:

115.999 (2) Financial assistance applications, terms, and conditions. The department shall establish application procedures for, and the terms and conditions of, financial assistance under this subsection, including a condition requiring a charter school sponsor to use financial assistance under this subsection for wiring upgrading and installation that benefits pupils attending the charter
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School section. The board department shall make a loan to a school district, charter school sponsor, or public library board, or to a municipality on behalf of a public library board, in an amount equal to 50% of the total amount of financial assistance for which the board department determines the school district or public library board is eligible and provide a grant to the school district or public library board for the remainder of the total. The terms and conditions of any financial assistance under this subsection section may include the provision of professional building construction services under s. 16.85 (15). The board department shall determine the interest rate on loans under this subsection section. The interest rate shall be as low as possible but shall be sufficient to fully pay all interest expenses incurred by the state in making the loans and to provide reserves that are reasonably expected to be required in the judgment of the board department to ensure against losses arising from delinquency and default in the repayment of the loans. The term of a loan under this subsection section may not exceed 10 years.

SECTION 1071. 44.72 (4) (c) of the statutes is renumbered 115.999 (3) and amended to read:

115.999 (3) Repayment of loans. The board department shall credit all moneys received from school districts and charter school sponsors for repayment of loans under this subsection section to the appropriation account under s. 20.275 (1) 20.255 (4) (h). The board department shall credit all moneys received from public library boards or from municipalities on behalf of public library boards for repayment of loans under this subsection section to the appropriation account under s. 20.275 (1) 20.255 (4) (hb).

SECTION 1072. 44.72 (4) (d) of the statutes is renumbered 115.999 (4) and amended to read:
115.999 (4) Funding for financial assistance. The board, with the approval of the governor and department, subject to the limits of s. 20.866 (2) (zc) and (zcm), may request that the building commission contract public debt in accordance with ch. 18 to fund financial assistance under this subsection.

Section 1072. 44.73 (title) of the statutes is renumbered 115.9995 (title).

Section 1073. 44.73 (1) of the statutes is renumbered 115.9995 (1) and amended to read:

115.9995 (1) Except as provided in s. 196.218 (4t), the board of public instruction, in consultation with the department and subject to the approval of the department of electronic government, shall promulgate rules establishing an educational telecommunications access program to provide educational agencies with access to data lines and video links.

Section 1074. 44.73 (2) (intro.) of the statutes is renumbered 115.9995 (2) (intro.).

Section 1075. 44.73 (2) (a) of the statutes is renumbered 115.9995 (2) (a) and amended to read:

115.9995 (2) (a) Allow an educational agency to make a request to the board for access to either one data line or one video link, except that any educational agency may request access to additional data lines if the agency shows to the satisfaction of the board that the additional data lines are more cost-effective than a single data line and except that a school district that operates more than one high school or a public library board that operates more than one library facility may request access to both a data line and a video link and access to more than one data line or video link.

Section 1076. 44.73 (2) (b) of the statutes is renumbered 115.9995 (2) (b).
Section 1078. 44.73 (2) (c) of the statutes is renumbered 115.9995 (2) (c).

Section 1079. 44.73 (2) (d) of the statutes is renumbered 115.9995 (2) (d) and amended to read:

115.9995 (2) (d) Require an educational agency to pay the department of administration not more than $250 per month for each data line or video link that is provided to the educational agency under the program established under sub. (1), except that the charge may not exceed $100 per month for each data line or video link that relies on a transport medium that operates at a speed of 1.544 megabits per second.

Section 1080. 44.73 (2) (e) of the statutes is renumbered 115.9995 (2) (e).

Section 1081. 44.73 (2) (f) of the statutes is renumbered 115.9995 (2) (f).

Section 1082. 44.73 (2g) of the statutes is renumbered 115.9995 (2g).

Section 1083. 44.73 (2r) of the statutes is renumbered 115.9995 (2r), and 115.9995 (2r) (c), as renumbered, is amended to read:

115.9995 (2r) (c) A public library board shall provide the technology for educational achievement in Wisconsin board department with written notice within 30 days after entering into or modifying a shared service agreement under par. (a).

Section 1084. 44.73 (3) of the statutes is renumbered 115.9995 (3) and amended to read:

115.9995 (3) The board department of public instruction shall submit an annual report to the department of administration on the status of providing data lines and video links that are requested under sub. (2) (a) and the impact on the universal service fund of any payment under contracts under s. 16.974.

Section 1085. 44.73 (4) of the statutes is renumbered 115.9995 (4).

Section 1086. 44.73 (5) of the statutes is repealed.
SECTION 1087. 44.73 (6) (a) of the statutes is renumbered 115.9995 (6) (a) and
amended to read:

115.9995 (6) (a) From the appropriation under s. 20.275 (1) 20.255 (4) (s) or
(tm), the board department may award an annual grant to a school district or private
school that had in effect on October 14, 1997, a contract for access to a data line or
video link, as documented by the board department. The board department shall
determine the amount of the grant, which shall be equal to the cost incurred by the
state to provide telecommunications access to a school district or private school
under a contract entered into under s. 16.974 (1) or (3) less the amount that the school
district or private school would be paying under sub. (2) (d) if the school district or
private school were participating in the program established under sub. (1), except
that the amount may not be greater than the cost that a school district or private
school incurs under the contract in effect on October 14, 1997. A school district or
private school receiving a grant under this subsection is not eligible to participate in
the program under sub. (1). No grant may be awarded under this subsection after
December 31, 2005.

SECTION 1088. 44.73 (6) (b) of the statutes is renumbered 115.9995 (6) (b) and
amended to read:

115.9995 (6) (b) Notwithstanding par. (a), the board department may award a
school district that operates more than one high school and that had in effect on
October 14, 1997, a contract for access to more than one data line or video link an
annual grant for each data line or video link serving each high school covered by that
contract.

SECTION 1089. 45.25 (2) (c) of the statutes is amended to read:
45.25 (2) (c) The individual applies for the tuition and fee reimbursement program for courses completed or begun within 10 years after separation from the service.

SECTION 1090. 45.365 (7) of the statutes is created to read:

45.365 (7) The department may develop a program to provide stipends to individuals to attend school and receive the necessary credentials to become employed at the home or the southeastern facility. If the department does develop a stipend program under this subsection, the department shall promulgate administrative rules related to the program, including the application process, eligibility criteria, stipend amount, repayment provisions, and other provisions that the department determines are necessary to administer the program.

SECTION 1091. 45.37 (11) of the statutes is amended to read:

45.37 (11) Disposition of property descending to state. If a member dies without a relative that is entitled to an interest in the property of the member under the rules of intestate succession and without leaving a will the existence of which is made known to the commandant of the home within 60 days of the member’s death, the member’s property shall be converted to cash and turned over by the commandant of the home to the secretary of administration to be paid into the appropriation under s. 20.485 (1) (h), without administration. The amount is subject to refund within 6 years to the estate of a veteran if it is subsequently discovered that the veteran left a will or a relative that is entitled to an interest in the property of the member under the rules of intestate succession or to any creditor of the veteran who establishes right to the fund or property or any portion thereof. The department, upon being satisfied that a claim out of such funds or property is legal and valid, shall pay the same out of such funds or property, except that payment
of claims for a member’s funeral and burial expenses may not exceed a total of $1,500
including any amount allowed by the United States for the member’s funeral and
burial and the right for burial and interment provided in sub. (15) (a).

SECTION 1092. 45.37 (15) (c) of the statutes is amended to read:

45.37 (15) (c) Expenses incident to the burial at the home of a member shall
be paid from the estate of the decedent, except that if there is no estate or the estate
is insufficient, the expense of burial, or necessary part thereof, shall be paid from the
appropriation under s. 20.485 (1) (gk) and the amount expended therefor shall not
exceed the amount established for funeral and burial expenses under s. 49.30 49.785
(1) (b).

SECTION 1093. 45.43 (7) (b) of the statutes is amended to read:

45.43 (7) (b) The department shall award a grant annually to a county that
meets the standards developed under this subsection and employs a county veterans’
service officer who, if chosen after August 9, 1989, is chosen from a list of candidates
who have taken a civil service examination for the position of county veterans’ service
officer developed and administered by the department of employment relations
administration, or is appointed under a
civil service competitive examination procedure under ch. 63 or s. 59.52 (8). The
grant shall be $8,500 for a county with a population of less than 20,000, $10,000 for
a county with a population of 20,000 to 45,499, $11,500 for a county with a population
of 45,500 to 74,999, and $13,000 for a county with a population of 75,000 or more.
The department shall use the most recent Wisconsin official population estimates
prepared by the demographic services center when making grants under this
paragraph.

SECTION 1094. 45.54 (10) (a) of the statutes is amended to read:
45.54 (10) (a) Authority. All proprietary schools shall be examined and approved by the board before operating in this state. Approval shall be granted to schools meeting the criteria established by the board for a period not to exceed one year. No school may advertise in this state unless approved by the board. All approved schools shall submit quarterly reports, including information on enrollment, number of teachers and their qualifications, course offerings, number of graduates, number of graduates successfully employed, and such other information as the board deems necessary. If a school closure results in losses to students, parents, or sponsors, the board may authorize the full or partial payment of those losses from the appropriation under s. 20.485 (5) (gm).

Section 1095. 45.54 (10) (c) 4. of the statutes is created to read:

45.54 (10) (c) 4. Specify a student protection fee.

Section 1096. 46.03 (7) (h) of the statutes is created to read:

46.03 (7) (h) Contract for the provision of a centralized unit for determining whether the cost of providing care for a child is eligible for reimbursement under 42 USC 670 to 679a.

Section 1097. 46.03 (18) (d) of the statues is amended to read:

46.03 (18) (d) The department may compromise or waive all or part of the liability for services received. The sworn statement of the any collection and deportation counsel appointed under s. 46.10 (7), the department’s legal counsel, or the department secretary, shall be evidence of the services provided and the fees charged for such services.

Section 1098. 46.057 (2) of the statutes is amended to read:

46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the department of corrections shall transfer to the appropriation account under s. 20.435
(2) (kx) $1,379,300 in fiscal year 2001–02 and $1,379,300 in fiscal year 2002–03 and, from the appropriation account under s. 20.410 (3) (hm), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) $2,489,300 in fiscal year 1999–2000 and $2,489,900 in fiscal year 2000–01 and $1,940,200 in fiscal year 2003–04 and $2,001,700 in fiscal year 2004–05 for services for juveniles placed at the Mendota juvenile treatment center. The department of health and family services may charge the department of corrections not more than the actual cost of providing those services.

**SECTION 1099.** 46.10 (6) of the statutes is amended to read:

46.10 (6) The sworn statement of the any collection and deportation counsel appointed under sub. (7), of the department’s legal counsel, or of the secretary, shall be evidence of the fee and of the care and services received by the patient.

**SECTION 1100.** 46.10 (7) of the statutes is amended to read:

46.10 (7) The department of health and family services shall administer and enforce this section. It on behalf of the department of health and family services, the department of administration shall appoint an attorney to be designated “collection and deportation counsel” and. The department of health and family services may appoint other necessary assistants. The department of health and family services may delegate to the collection and deportation counsel such other powers and duties as it considers advisable. The collection and deportation counsel or any of the assistants may administer oaths, take affidavits and testimony, examine public records, subpoena witnesses and the production of books, papers, records, and documents material to any matter of proceeding relating to payments for the cost of maintenance. The department of health and family services shall
encourage agreements or settlements with the liable person, having due regard to
ability to pay and the present needs of lawful dependents.

SECTION 1101. 46.215 (1) (n) of the statutes is amended to read:

46.215 (1) (n) To collect and transmit information to the department of
administration so that a federal energy assistance payment may be made to an
eligible household; to collect and transmit information to the department of
administration so that weatherization services may be made available to an eligible
household; to receive applications from individuals seeking low-income energy
assistance under s. 16.385 16.27 (4) or weatherization services under s. 16.39 16.26;
to provide information on the income eligibility for weatherization of a recipient of
low-income energy assistance to an entity with which the department of
administration contracts for provision of weatherization under s. 16.39 16.26; and
to receive a request, determine a correct payment amount, if any, and provide
payment, if any, for emergency assistance under s. 16.385 16.27 (8).

SECTION 1102. 46.22 (1) (b) 4m. c. of the statutes is amended to read:

46.22 (1) (b) 4m. c. To receive applications from individuals seeking low-income
energy assistance under s. 16.385 16.27 (4) or weatherization services under s. 16.39 16.26.

SECTION 1103. 46.22 (1) (b) 4m. d. of the statutes is amended to read:

46.22 (1) (b) 4m. d. To provide information on the income eligibility for
weatherization of a recipient of low-income energy assistance to an entity with
which the department of administration contracts for provision of weatherization

SECTION 1104. 46.22 (1) (b) 4m. e. of the statutes is amended to read:
46.22 (1) (b) 4m. e. To receive a request, determine a correct payment amount, if any, and provide payment, if any, for emergency assistance under s. 16.385 16.27 (8).

**SECTION 1105.** 46.22 (1) (d) of the statutes is amended to read:

46.22 (1) (d) Merit system; records. The county department of social services is subject to s. 49.33 49.78 (4) to (7). The county department of social services and all county officers and employees performing any duties in connection with the administration of aid to families with dependent children shall observe all rules promulgated by the department of workforce development under s. 49.33 49.78 (4) and shall keep records and furnish reports as the department of workforce development requires in relation to their performance of such duties.

**SECTION 1106.** 46.22 (2) (b) of the statutes is amended to read:

46.22 (2) (b) Appoint the county social services director under sub. (3) subject to s. 49.33 49.78 (4) to (7) and the rules promulgated thereunder and subject to the approval of the county board of supervisors in a county with a single-county department of social services or the county boards of supervisors in counties with a multicounty department of social services.

**SECTION 1107.** 46.22 (3m) (a) of the statutes is amended to read:

46.22 (3m) (a) In any county with a county executive or a county administrator which that has established a single-county department of social services, the county executive or county administrator, subject to s. 49.33 49.78 (4) to (7) and the rules promulgated thereunder, shall appoint and supervise the county social services director. The appointment is subject to the confirmation of the county board of supervisors unless the county board of supervisors, by ordinance, elects to waive
confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.52 (8) or ch. 63.

**SECTION 1108.** 46.27 (7) (am) of the statutes is amended to read:

46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department shall allocate funds to each county or private nonprofit agency with which the department contracts to pay assessment and case plan costs under sub. (6) not otherwise paid by fee or under s. 49.33 (2) or 49.45 or 49.78 (2). The department shall reimburse counties for the cost of assessing persons eligible for medical assistance under s. 49.46, 49.468, or 49.47 as part of the administrative services of medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this paragraph to pay the cost of long-term community support services and for a risk reserve under par. (fr).

**SECTION 1109.** 46.27 (7) (fm) of the statutes is amended to read:

46.27 (7) (fm) The department shall, at the request of a county, carry forward up to 10% 5% of the amount allocated under this subsection to the county for a calendar year if up to 10% 5% of the amount so allocated has not been spent or encumbered by the county by December 31 of that year, for use by the county in the following calendar year, except that the amount carried forward shall be reduced by the amount of funds that the county has notified the department that the county wishes to place in a risk reserve under par. (fr). The department may transfer funds within s. 20.435 (7) (bd) to accomplish this purpose. An allocation under this paragraph does not affect a county’s base allocation under this subsection and shall lapse to the general fund unless expended within the calendar year to which the funds are carried forward. A county may not expend funds carried forward under this paragraph for administrative or staff costs, except administrative or staff costs
that are associated with implementation of the waiver under sub. (11) and approved
by the department.

SECTION 1110. 46.27 (7g) (h) of the statutes is amended to read:

46.27 (7g) (h) The department may contract with or employ retain an attorney
to probate estates to recover under this subsection the costs of care.

SECTION 1111. 46.27 (9) (a) of the statutes is amended to read:

46.27 (9) (a) The department may select up to 5 counties that volunteer to
participate in a pilot project under which they will receive certain funds allocated for
long-term care. The department shall allocate a level of funds to these counties
equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gp), (r), or
(w) to nursing homes for providing care because of increased utilization of nursing
home services, as estimated by the department. In estimating these levels, the
department shall exclude any increased utilization of services provided by state
centers for the developmentally disabled. The department shall calculate these
amounts on a calendar year basis under sub. (10).

SECTION 1112. 46.27 (10) (a) 1. of the statutes is amended to read:

46.27 (10) (a) 1. The department shall determine for each county participating
in the pilot project under sub. (9) a funding level of state medical assistance
expenditures to be received by the county. This level shall equal the amount that the
department determines would otherwise be paid under s. 20.435 (4) (b), (gp), (r), or
(w) because of increased utilization of nursing home services, as estimated by the
department.

SECTION 1113. 46.275 (5) (a) of the statutes is amended to read:

46.275 (5) (a) Medical assistance Assistance reimbursement for services a
county, or the department under sub. (3r), provides under this program is available
from the appropriation accounts under s. 20.435 (4) (b), (gp), (hm), (o), (r), and (w). If 2 or more counties jointly contract to provide services under this program and the department approves the contract, medical assistance reimbursement is also available for services provided jointly by these counties.

**Section 1114.** 46.275 (5) (c) of the statutes is amended to read:

46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gp), (hm), (o), (r), and (w) to counties and to the department under sub. (3r) for services provided under this section may not exceed the amount approved by the federal department of health and human services. A county may use funds received under this section only to provide services to persons who meet the requirements under sub. (4) and may not use unexpended funds received under this section to serve other developmentally disabled persons residing in the county.

**Section 1115.** 46.275 (5) (e) of the statutes is created to read:

46.275 (5) (e) From the appropriation under s. 20.435 (2) (gL), the department may provide moneys to a county to pay for one-time costs associated with the relocation under this section of an individual from a state center for the developmentally disabled.

**Section 1116.** 46.277 (1m) (ak) of the statutes is created to read:

46.277 (1m) (ak) “Nursing home” means a nursing home, as defined in s. 50.01 (3), that is certified as a provider of medical assistance, other than an intermediate care facility for the mentally retarded, as defined in s. 46.278 (1m) (am).

**Section 1117.** 46.277 (2) (b) of the statutes is amended to read:
46.277 (2) (b) Fund Except as provided in subs. (3r) and (5) (bm), fund home
or community-based services provided by any county that meet the requirements of
this section.

SECTION 1118. 46.277 (3) (c) of the statutes is amended to read:

46.277 (3) (c) Beginning on January 1, 1996, from the annual allocation to the
county for the provision of long-term community support services under sub. (5),
except as provided in subs. (3r) and (5) (bm), a county department participating in
the program shall annually establish a maximum total amount that may be
encumbered in a calendar year for services for eligible individuals in
community-based residential facilities.

SECTION 1119. 46.277 (3r) of the statutes is created to read:

46.277 (3r) RELOCATION OF NURSING HOME RESIDENTS. (a) In a county that is
participating in the program, for each nursing home resident who has applied for
participation and has been found eligible under sub. (4), but is not participating in
the program and who indicates that he or she prefers to receive services in the
community, rather than in the nursing home, the participating county department
shall initiate a needs and costs-based assessment before the resident has resided in
the nursing home for 90 continuous days or before the cost of the resident’s nursing
home care has been paid under Medical Assistance for 30 days, whichever is longer.
The county department shall complete the needs and costs-based assessment within
90 days after initiating it.

(b) After completion of the needs and costs-based assessment, the county
department shall contact the department regarding available funding.

(c) If the department determines that costs for home or community-based
services for the nursing home resident, as determined under the needs and
costs-based assessment, are equal to or less than the amount specified under sub. (5) (bm) 1., the county department shall offer and, if accepted, provide home or community-based services under this section to the nursing home resident, if the cost of the resident’s nursing home care has been paid under Medical Assistance for at least 30 days.

(d) If the department determines that costs for home or community-based services for the nursing home resident, as determined under the needs and costs-based assessment, exceed the amount specified under sub. (5) (bm) 1., the department may ascertain whether additional funding, as specified under sub. (5) (bm) 2., is available. If additional funding is available and if the cost of the resident’s nursing home care has been paid under Medical Assistance for at least 30 days, the county department shall offer and, if accepted, provide home or community-based services under this section to the nursing home resident.

SECTION 1120. 46.277 (5) (am) of the statutes is created to read:

46.277 (5) (am) From the appropriation under s. 20.435 (4) (w), the department may provide reimbursement to a county for administrative activities by the county to relocate a nursing home resident under sub. (3r).

SECTION 1121. 46.277 (5) (b) of the statutes is amended to read:

46.277 (5) (b) Total Except as provided in subs. (3r) and (5) (bm), funding to counties under the program may not exceed the amount approved in the waiver received under sub. (2).

SECTION 1122. 46.277 (5) (bm) of the statutes is created to read:

46.277 (5) (bm) 1. Funding to a county for an individual who is relocated from a nursing home under sub. (3r) shall be no more than the per-person, per-day payment rate at the individual’s level-of-care requirement for the nursing home
under s. 49.45 (6m), indexed annually by the percentage of any annual nursing home
average rate increase under s. 49.45 (6m), minus the amount that is obtained by
subtracting the average annual costs for allowable charges under s. 49.46 (2) (a) and
(b) payable on behalf of individuals in nursing homes from the average annual costs
per medical assistance recipient for the allowable charges payable on behalf of
individuals who are relocated into communities from nursing homes.

2. Notwithstanding the limitation on payment to a county under subd. 1.,
funding to a county for an individual who is relocated from a nursing home under
sub. (3r) may include, in addition to the amount specified in subd. 1., an amount not
to exceed the sum obtained by subtracting the total of all payments made for home
or community-based services for nursing home residents relocated under sub. (3r)
c from the amount available under subd. 1.

3. If a county department fails to complete a needs and costs-based assessment
and offer home or community-based services under this section to a nursing home
resident within the time period specified in sub. (3r) (a), the county shall pay the
nonfederal share of Medical Assistance for his or her nursing home care unless the
nursing home resident refused participation or the needs and costs-based
assessment determined that participation was not feasible.

4. Funding to a county is available under subd. 1. or 2. only during the period
in which a relocated individual continues to receive home or community-based care.

Section 1123. 46.277 (5) (g) of the statutes is created to read:

46.277 (5) (g) The department may provide enhanced reimbursement for
services provided under this section to an individual who is relocated to the
community from a nursing home by a county department on or after the effective date
of this paragraph .... [revisor inserts date], if the nursing home bed that was used by
the individual is delicensed upon relocation of the individual. The department shall develop and utilize a formula to determine the enhanced reimbursement rate.

**SECTION 1124.** 46.278 (1m) (bg) of the statutes is created to read:

46.278 (1m) (bg) “Nursing home” means a nursing home, as defined in s. 50.01 (3), that is certified as a provider of medical assistance, other than an intermediate care facility for the mentally retarded.

**SECTION 1125.** 46.278 (3) (b) of the statutes is amended to read:

46.278 (3) (b) Except as provided in subs. (4g) and (6) (bm), fund home or community–based services provided by any county that meet the requirements of this section.

**SECTION 1126.** 46.278 (4g) of the statutes is created to read:

46.278 (4g) Relocation of Nursing Home Residents. (a) In a county that is participating in the program, for each nursing home resident who has applied for participation and has been found eligible under sub. (5), but is not participating in the program and who indicates that he or she prefers to receive services in the community, rather than in the nursing home, the participating county department shall initiate a needs and costs–based assessment before the resident has resided in the nursing home for 90 continuous days or before the cost of the resident’s nursing home care has been paid under Medical Assistance for 30 days, whichever is longer. The county department shall complete the needs and costs–based assessment within 90 days after initiating the assessment.

(b) After completion of the needs and costs–based assessment, the county department shall contact the department regarding available funding.

(c) If the department determines that costs for home or community–based services for the nursing home resident, as determined under the needs and
costs–based assessment, are equal to or less than the amount specified under sub. (6) (bm) 1., the county department shall offer and, if accepted, provide home or community–based services under this section to the nursing home resident, if the cost of the resident’s nursing home care has been paid under Medical Assistance for at least 30 days.

(d) If the department determines that costs for home or community–based services for the nursing home resident, as determined under the needs and costs–based assessment, exceed the amount specified under sub. (6) (bm) 1., the department may ascertain whether additional funding, as specified under sub. (6) (bm) 2., is available. If additional funding is available and if the cost of the resident’s nursing home care has been paid under Medical Assistance for at least 30 days, the county department shall offer and, if accepted, provide home or community–based services under this section to the nursing home resident.

SECTION 1127. 46.278 (6) (am) of the statutes is created to read:

46.278 (6) (am) From the appropriation under s. 20.435 (4) (w), the department may provide reimbursement to a county for administrative activities by the county to relocate a nursing home resident under sub. (4g).

SECTION 1128. 46.278 (6) (b) of the statutes is amended to read:

46.278 (6) (b) Total Except as provided in subs. (4g) and (6) (bm), total funding to counties for relocating each person under a program may not exceed the amount approved in the waiver received under sub. (3).

SECTION 1129. 46.278 (6) (bm) of the statutes is created to read:

46.278 (6) (bm) 1. Funding to a county for an individual who is relocated from a nursing home under sub. (4g) shall be no more than the per–person, per–day payment rate at the individual’s level–of–care requirement for the nursing home
under s. 49.45 (6m), indexed annually by the percentage of any annual nursing home
average rate increase under s. 49.45 (6m), minus the amount that is obtained by
subtracting the average annual costs for allowable charges under s. 49.46 (2) (a) and
(b) payable on behalf of individuals in nursing homes from the average annual costs
for the allowable charges payable on behalf of individuals who are relocated into
communities from nursing homes.

2. Notwithstanding the limitation on payment to a county under subd. 1.,
funding to a county for an individual who is relocated from a nursing home under
sub. (4g) may include, in addition to the amount specified in subd. 1., an amount not
to exceed the sum obtained by subtracting the total of all payments made for home
or community–based services for nursing home residents relocated under sub. (4g)
(c) from the amount available under subd. 1.

3. If a county department fails to complete a needs and costs–based assessment
and offer home or community–based services under this section to a nursing home
resident within the time period specified in sub. (4g) (a), the county shall pay the
nonfederal share of Medical Assistance for his or her nursing home care unless the
nursing home resident refused participation or the needs and costs–based
assessment determined that participation was not feasible.

4. Funding to a county is available under subd. 1. or 2. only during the period
in which a relocated individual continues to receive home or community–based care.

Section 1130. 46.278 (6) (d) of the statutes is amended to read:

46.278 (6) (d) If a county makes available nonfederal funds equal to the state
share of service costs under a waiver received under sub. (3), the department may,
from the appropriation under s. 20.435 (4) (o), provide reimbursement for services
that the county provides under this section to persons who are in addition to those
who may be served under this section with funds from the appropriation under s. 20.435 (4) (b), (r), or (w).

SECTION 1131. 46.278 (6) (f) of the statutes is repealed.

SECTION 1132. 46.279 of the statutes is created to read:

46.279  Restrictions on placements and admissions to intermediate and nursing facilities.  (1) Definitions. In this section:

(a) “Developmental disability” has the meaning given in s. 51.01 (5) (a).

(b) “Intermediate facility” means an intermediate care facility for the mentally retarded, as defined in 42 USC 1396d (d), other than a center for the developmentally disabled, as defined in s. 51.01 (3).

(c) “Nursing facility” has the meaning given under 42 USC 1369r (a).

(2) Placements and admissions to intermediate facilities. Except as provided in sub. (5), no person may place an individual with a developmental disability in an intermediate facility and no intermediate facility may admit such an individual unless, before the placement or admission, a court under s. 55.06 (9) (a) or (10) (a) finds that placement under a plan that was developed under sub. (4) is not in the individual’s best interests. An intermediate facility to which an individual who has a developmental disability applies for admission shall, within 5 days after receiving the application, notify the county department that is participating in the program under s. 46.278 of the county of residence of the individual who is seeking admission concerning the application.

(3) Placements and admissions to nursing facilities. Except as provided in sub. (5), if the department or an entity determines from a screening under s. 49.45 (6c) (b) that an individual requires active treatment for developmental disability, no individual may be placed in a nursing facility, and no nursing facility may admit the
individual, unless it is determined from the screening that the individual’s need for care cannot fully be met in an intermediate facility or under a plan under sub. (4).

(4) Plan for Home or Community-Based Care. A county department that participates in the program under s. 46.278 shall develop a plan for providing home or community-based care to an individual in a noninstitutional community setting under any of the following circumstances:

(a) Within 90 days after any determination made under s. 49.45 (6c) (c) 3. that the level of care required by a resident that is provided by a facility could be provided in an intermediate facility or under a plan under this subsection.

(b) Within 90 days after receiving written notice under sub. (2) of an application.

(c) Within 90 days after a proposal is made under s. 55.06 (9) (a) to place the individual in an intermediate facility or a nursing facility.

(d) Within 90 days after receiving written notice under s. 55.06 (10) (a) 2. of the placement of the individual in a nursing facility or an intermediate facility.

(e) Within 60 days after extension of a temporary placement order by the court under s. 55.06 (11) (c).

(5) Exceptions. Subsections (2) and (3) do not apply to an emergency placement under s. 55.06 (11) (a) or to a temporary placement under s. 55.06 (11) (c) or (12).

Section 1133. 46.2805 (2) of the statutes is amended to read:

46.2805 (2) “Eligible person” means a person who meets all eligibility criteria under s. 46.286 (1) or (1m).

Section 1134. 46.283 (5) of the statutes is amended to read:

46.283 (5) Funding. From the appropriation accounts under s. 20.435 (4) (b), (bm), (gp), (pa), (r), and (w) and (7) (b), (bd), and (md), the department may contract
with organizations that meet standards under sub. (3) for performance of the duties
under sub. (4) and shall distribute funds for services provided by resource centers.

SECTION 1135. 46.284 (5) (a) of the statutes is amended to read:

46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gp),
(im), (o), (r), and (w) and (7) (b) and (bd), the department shall provide funding on a
capitated payment basis for the provision of services under this section.
Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
under contract with the department may expend the funds, consistent with this
section, including providing payment, on a capitated basis, to providers of services
under the family care benefit.

SECTION 1136. 46.286 (1) (intro.) of the statutes is amended to read:

46.286 (1) ELIGIBILITY. (intro.) Except as provided in sub. (1m), a person is
eligible for, but not necessarily entitled to, the family care benefit if the person is at
least 18 years of age; has a physical disability, as defined in s. 15.197 (4) (a) 2., a
developmental disability, as defined in s. 51.01 (5) (a), or infirmities of aging, as
defined in s. 55.01 (3); and meets all of the following criteria:

SECTION 1137. 46.286 (1m) of the statutes is repealed.

SECTION 1138. 46.286 (3) (a) (intro.) of the statutes is amended to read:

46.286 (3) (a) (intro.) Subject to pars. (c) and (d), a person is entitled to and may
receive the family care benefit through enrollment in a care management
organization if, except as provided in subd. 5., he or she is at least 18 years of age,
has a physical disability, as defined in s. 15.197 (4) (a) 2., a developmental disability,
as defined in s. 51.01 (5) (a), or infirmities of aging, as defined in s. 55.01 (3), is
financially eligible, fulfills any applicable cost-sharing requirements and meets any
of the following criteria:
SECTION 1139. 46.286 (3) (a) 5. of the statutes is repealed.

SECTION 1140. 46.286 (3) (d) of the statutes is amended to read:

46.286 (3) (d) The department shall determine the date, which shall not be later than January 1, 2004, on which par. (a) shall first apply to persons who are not eligible for medical assistance under ch. 49. Before the date determined by the department, persons who are not eligible for medical assistance may receive the family care benefit within the limits of state funds appropriated for this purpose and available federal funds.

SECTION 1141. 46.287 (2) (a) 1. a. of the statutes is amended to read:

46.287 (2) (a) 1. a. Denial of eligibility under s. 46.286 (1) or (1m).

SECTION 1142. 46.29 (3) (d) of the statutes is amended to read:

46.29 (3) (d) The secretary of employment relations administration.

SECTION 1143. 46.295 (1) of the statutes is amended to read:

46.295 (1) The department may, on the request of any hearing-impaired person, city, village, town, or county or private agency, provide funds from the appropriation under s. 20.435 (6) (a) and (hs) and (7) (d) to reimburse interpreters for hearing-impaired persons for the provision of interpreter services.

SECTION 1144. 46.40 (1) (d) of the statutes is created to read:

46.40 (1) (d) If the department receives any federal moneys under 42 USC 1396 to 1396v in reimbursement of the cost of preventing out-of-home placements of children, the department shall use those moneys as the first source of moneys used to meet the amount of the allocation under sub. (2) that is budgeted from federal funds.

SECTION 1145. 46.40 (2) of the statutes is amended to read:
46.40 (2) Basic county allocation. Subject to sub. (9), for social services under s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not more than $244,745,200 for fiscal year 2001–02 and $244,703,400 for fiscal year 2002–03 and $242,078,700 in each fiscal year.

Section 1146. 46.40 (7) of the statutes is amended to read:

46.40 (7) Family support allocation. For family support programs for the families of disabled children under s. 46.985, the department shall distribute not more than $4,589,800 in fiscal year 2001–02 and not more than $5,089,800 in fiscal year 2002–03 and in each fiscal year thereafter.

Section 1147. 46.45 (2) (a) of the statutes is amended to read:

46.45 (2) (a) If Subject to par. (am), if on December 31 of any year there remains unspent or unencumbered in the allocation under s. 46.40 (2) an amount that exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in that year, the department shall carry forward the excess moneys and distribute not less than 50% of the excess moneys to counties having a population of less than 500,000 that are making a good faith effort, as determined by the department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist children and families, notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not less than 50% of the moneys distributed to the county under this subsection for services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services, except that in the calendar year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2 calendar years after that calendar year the county may use 100% of the moneys distributed under this paragraph to reimburse the department for the costs of achieving that compliance. If a county does not comply with s. 46.22 (1) (c) 8. f. before
July 1, 2005, the department may recover any amounts distributed to that county under this paragraph after June 30, 2001, by billing the county or deducting from that county’s allocation under s. 46.40 (2). All moneys received by the department under this paragraph shall be credited to the appropriation account under s. 20.435 (3) (j).

**SECTION 1148.** 46.45 (2) (am) of the statutes is created to read:

46.45 (2) (am)  If on December 31 of any year a county is not using the centralized unit contracted for under s. 46.03 (7) (h) for determining whether the cost of providing care for a child is eligible for reimbursement under 42 USC 670 to 679a, the department shall reduce that county’s distribution under par. (a) by 50%.

**SECTION 1149.** 46.45 (3) (a) of the statutes is amended to read:

46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal governing body, or private nonprofit organization, the department shall carry forward up to 3% of the total amount allocated to the county, tribal governing body, or nonprofit organization for a calendar year, **not including the amount allocated to the county under s. 46.40 (7), which amount may be carried forward as provided in par. (c).** All funds carried forward for a tribal governing body or nonprofit organization, all federal child welfare funds under 42 USC 620 to 626, and all funds allocated under s. 46.40 (2m) carried forward for a county shall be used for the purpose for which the funds were originally allocated. **Except as provided under par. (am), other** funds carried forward under this paragraph may be used for any purpose under s. 20.435 (7) (b), except that a county may not use any funds carried forward under this paragraph for administrative or staff costs. An allocation of carried-forward funding under this paragraph does not affect a county’s base allocations under s. 46.40 (2), (2m), (8), and (9).
SECTION 1150. 46.45 (3) (am) of the statutes is repealed.

SECTION 1151. 46.45 (3) (c) of the statutes is created to read:
46.45 (3) (c) At the request of a county, the department shall carry forward up to 5% of the amount allocated to the county under s. 46.40 (7) for a calendar year. All funds carried forward under this paragraph shall be used for the purpose for which the funds were originally allocated, except that a county may not use any of those funds for administrative or staff costs. All funds carried forward under this paragraph that are not spent or encumbered by a county December 31 of the calendar year to which those funds were carried forward shall lapse to the general fund on the succeeding January 1. An allocation of carried-forward funding under this paragraph does not affect a county's base allocation under s. 46.40 (7).

SECTION 1152. 46.45 (6) of the statutes is renumbered 46.45 (6) (a) and amended to read:
46.45 (6) (a) The department may carry forward 10% of any funds specified in sub. (3) (a) that are not carried forward under sub. (3) (a) for emergencies, for justifiable unit services costs above planned levels, and to provide compensation for increased costs due to population shifts. An allocation of carried-forward funding under this paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and (9).

SECTION 1153. 46.45 (6) (b) of the statutes is created to read:
46.45 (6) (b) The department may carry forward any funds specified in sub. (3) (c) that are not carried forward under sub. (3) (c) for emergencies, for justifiable unit services costs above planned levels, and for increased costs due to population shifts. An allocation of carried-forward funding under this paragraph does not affect a county’s base allocation under s. 46.40 (7).
SELECTION 1154. 46.46 (1) of the statutes is amended to read:

46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the department shall support costs that are exclusively related to the operational costs of augmenting the amount of moneys received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v and shall distribute moneys to counties as provided in sub. (1g). In addition, the department may expend moneys from the appropriation account under s. 20.435 (8) (mb) as provided in sub. subs. (1m) and (2).

SELECTION 1155. 46.46 (1g) of the statutes is created to read:

46.46 (1g) The department shall distribute not less than 50% of the moneys received under 42 USC 1396 to 1396v as a result of the augmentation activities specified in sub. (1) and credited to the appropriation account under s. 20.435 (8) (mb) to counties that are participating in those activities for community social, mental health, developmental disabilities, and alcohol and other drug abuse services under s. 46.40. The department may distribute any moneys received under 42 USC 1396 to 1396v as a result of the augmentation activities specified in sub. (1) and credited to the appropriation account under s. 20.435 (8) (mb) that are not distributed under this subsection to counties that are participating in those activities as provided in sub. (2).

SELECTION 1156. 46.46 (1m) of the statutes is amended to read:

46.46 (1m) In addition to expending moneys from the appropriation account under s. 20.435 (8) (mb) for the augmentation activities specified in sub. (1) the department may expend moneys received under 42 USC 1396 to 1396v in reimbursement of the cost of providing targeted case management services to children whose care is not eligible for reimbursement under 42 USC 670 to 679a and credited to the appropriation account under s. 20.435 (8) (mb) to support the counties’
share of implementing the statewide automated child welfare information system
under s. 46.22 (1) (c) 8. f.

**SECTION 1156.** 46.46 (2) of the statutes is amended to read:

46.46 (2) If the department proposes to use any moneys from the appropriation
account under s. 20.435 (8) (mb) for any purpose other than the purposes specified in sub. subs. (1), (1g), and (1m), the department shall submit a plan for the proposed use of those moneys to the secretary of administration by September 1 of the fiscal year after the fiscal year in which those moneys were received. If the secretary of administration approves the plan, he or she shall submit the plan to the joint committee on finance by October 1 of the fiscal year after the fiscal year in which those moneys were received. If the cochairpersons of the committee do not notify the secretary of administration within 14 working days after the date of submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan. If within 14 working days after the date of the submittal by the secretary of administration the cochairpersons of the committee notify him or her that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan only with the approval of the committee.

**SECTION 1157.** 46.48 (6) (title) of the statutes is repealed.

**SECTION 1158.** 46.48 (6) of the statutes is renumbered 16.964 (9) (a) and amended to read:

16.964 (9) (a) The department shall distribute a grant in the amount of $80,000 in each fiscal year to the Career Youth Development Center in the city of Milwaukee for the operation of a minority youth substance abuse treatment program.
SECTION 1160. 46.481 (2) (title) of the statutes is repealed.

SECTION 1161. 46.481 (2) of the statutes is renumbered 16.964 (9) (b) and amended to read:

16.964 (9) (b) The department shall award a grant in the amount of $5,000 in each fiscal year as a grant to the Milwaukee police athletic league to purchase sports and recreational equipment for a gymnasium facility located at 2449 N. 36th Street in the city of Milwaukee and for a gymnasium facility located at 2544 N. 30th Street in the city of Milwaukee, and to contribute to the operating expenses of those gymnasium facilities.

SECTION 1162. 46.481 (4) (title) of the statutes is repealed.

SECTION 1163. 46.481 (4) of the statutes is renumbered 16.964 (9) (c) and amended to read:

16.964 (9) (c) The department shall distribute a grant in the amount of $50,000 in each fiscal year as grants to court-appointed special advocate programs that are recognized by a chief judge of a judicial administrative district under s. 48.07 (5) to perform advocacy services in proceedings under s. 48.13.

SECTION 1164. 46.481 (6) (title) of the statutes is repealed.

SECTION 1165. 46.481 (6) of the statutes is renumbered 16.964 (9) (d) and amended to read:

16.964 (9) (d) The department shall distribute a grant in the amount of $50,000 in each fiscal year to the children’s safe house child care program in Kenosha County for the operation of that program.

SECTION 1166. 46.485 (2g) (intro.) of the statutes is amended to read:

46.485 (2g) (intro.) From the appropriation accounts under s. 20.435 (4) (b) and (gp), the department may in each fiscal year transfer funds to the appropriation...
under s. 20.435 (7) (kb) for distribution under this section and from the appropriation
under s. 20.435 (7) (mb) the department may not distribute more than $1,330,500 in
each fiscal year to applying counties in this state that meet all of the following
requirements, as determined by the department:

SECTION 1167. 46.485 (2g) (b) of the statutes is renumbered 46.485 (2g) (b) 1.
SECTION 1168. 46.485 (2g) (b) (intro.) of the statutes is created to read:
46.485 (2g) (b) (intro.) Any of the following applies to the county:
SECTION 1169. 46.485 (2g) (b) 2. of the statutes is created to read:
46.485 (2g) (b) 2. The county provides service coordination, as defined in s.
46.56 (1) (L), on behalf of a child with a serious emotional disturbance and the child's
family in the county.
SECTION 1170. 46.485 (3g) of the statutes is amended to read:
46.485 (3g) The amount that the department may transfer under sub. (2g) for
a county counties may not exceed the estimated state share of payments under s.
49.45, 49.46 or 49.47 for mental health care and treatment that is provided in
inpatient facilities for children with a severe emotional disturbance who reside in the
county severe emotional disturbances.
SECTION 1171. 46.485 (3r) of the statutes is amended to read:
46.485 (3r) Funds that a county does not encumber from the appropriation
under s. 20.435 (7) (kb) that the department does not distribute to a county before
24 months after June 30 of the fiscal year in which the department allocated the
funds were distributed to the county under sub. (2g) lapse to the appropriation under
s. 20.435 (4) (b). A county may at any time expend funds that the department
distributes to the county, consistent with the requirements under sub. (3m).
SECTION 1172. 46.85 (1) of the statutes is amended to read:
46.85 (1) The department may establish and operate a senior companion program modeled after the federal senior companion program under 42 USC 5011 (b), in effect on April 30, 1980. If operated, the program shall engage the services of low-income persons aged 60 or over to provide supportive person-to-person assistance in health, education, recreation, welfare and related fields to persons aged 60 or over with special needs who reside in their own homes, and it may engage other persons aged 60 or older, regardless of income, as volunteers in similar activities. The department may also establish and operate a retired senior volunteers program modeled after the federal retired senior volunteers program under 42 USC 5001, in effect on April 30, 1980 to provide voluntary services in a community. If operated, the program shall engage persons aged 60 or over as volunteers.

SECTION 1173. 46.85 (3) of the statutes is repealed.

SECTION 1174. 46.85 (3m) (a) of the statutes is amended to read:

46.85 (3m) (a) From the appropriation under s. 20.435 (7) (dh), the department shall provide a state supplement to federally funded senior companion and retired senior volunteer program units that were in operation on December 1, 1988, and administered by qualified public and non-profit private agencies.

SECTION 1175. 46.85 (3m) (b) 1. of the statutes is amended to read:

46.85 (3m) (b) 1. Federally and nonfederally funded senior companion and retired senior volunteer programs.

SECTION 1176. 46.90 (4) (b) 2. a. of the statutes is repealed.

SECTION 1177. 46.90 (4) (b) 2. b. of the statutes is amended to read:
46.90 (4) (b) 2. b. Any employee of an employer not described in subd. 2. a. who is discharged or otherwise discriminated against may file a complaint with the department of workforce development under s. 106.54 (5).

Section 1178. 46.90 (4) (b) 2. c. of the statutes is amended to read:

46.90 (4) (b) 2. c. Any person not described in this subd. 2. a. or b. who is retaliated or discriminated against in violation of subd. 1. may commence an action in circuit court for damages incurred as a result of the violation.

Section 1179. 46.93 of the statutes is repealed.

Section 1180. 46.973 (3) of the statutes is amended to read:

46.973 (3) The department may accept, receive, administer, and expend any money, material, or other gifts or grants of any description for purposes related to those set forth in this section. Moneys and grants received under this section shall be deposited with the state treasurer and shall be credited to the department under s. 20.435 (2) (i) and expended by the department or the state council on alcohol and other drug abuse for the purposes specified.

Section 1181. 46.99 (2) (a) (intro.) of the statutes is amended to read:

46.99 (2) (a) (intro.) From the appropriations under s. 20.435 (3) (eg), (km) and (nL), the department shall distribute $2,125,200 in each fiscal year to applying nonprofit corporations and public agencies operating in a county having a population of 500,000 or more and $1,199,300 in each fiscal year to applying county departments under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county having a population of 500,000 or more to provide programs to accomplish all of the following:

Section 1182. 46.995 (1m) of the statutes is amended to read:
46.995 (1m) TRIBAL ADOLESCENT SERVICES ALLOCATIONS. From the appropriation account under s. 20.435 (3) (km), the department may allocate $195,000 in each fiscal year and, from the appropriation account under s. 20.435 (3) (eg), the department may allocate $15,000 in each fiscal year to provide the grants specified in subs. (2), (3) (b), and (4m) (b).

SECTION 1183. 46.997 (2) (b) of the statutes is amended to read:

46.997 (2) (b) The department of health and family services shall award the grants under par. (a) on a competitive basis and according to request−for−proposal procedures that the department of health and family services shall prescribe in consultation with the department of workforce development, the adolescent pregnancy prevention and pregnancy services board, local health departments, as defined in s. 250.01 (4), and other providers of services to eligible persons. Those request−for−proposal procedures shall include a requirement that a private agency that applies for a grant under par. (a) include in its grant application proof that the private agency has the cultural competency to provide services under the grant to persons and families in the various cultures in the private agency’s target population and that cultural competency is incorporated in the private agency’s policies, administration, and practices. In awarding the grants under par. (a), the department of health and family services shall consider the need for those grants to be distributed both on a statewide basis and in the areas of the state with the greatest need for 2nd−chance homes and the need to provide placements for children who are voluntarily placed in a 2nd−chance home as well as for children who are placed in a 2nd−chance home by court order.

SECTION 1184. 47.02 (6) (a) of the statutes is amended to read:
From the appropriation under s. 20.445 (5) (bm) (a), provide financial aid to any person with a disability who is receiving vocational rehabilitation training and who has no other source of aid.

**SECTION 1185.** 47.03 (4) (b) of the statutes is amended to read:

47.03 (4) (b) The department may charge a portion of the expenses of its supervised business enterprise program to the net proceeds of each business operating under the program. The department shall establish the procedure for setting these charges by rule, with the participation of a committee of blind vendors established under 20 USC 107b–1. The department shall deposit the moneys from the charges made under this paragraph in the appropriations accounts under ss. 20.435 (7) (kd) and s. 20.445 (5) (h) and (he).

**SECTION 1186.** 47.03 (7) of the statutes is amended to read:

47.03 (7) If the department decides that a business under sub. (4) would not be feasible and profitable in any state building, the department may contract with vending machine operators to install vending machines in the building, giving preference to blind operators of vending machines. The department may, under the procedures established as required under sub. (4) (b), charge the net proceeds of each business operating under this subsection. The department shall deposit the moneys from the charges made under this subsection in the appropriations account under s. 20.445 (5) (h) and (hd) and shall disburse the proceeds to provide services to blind persons under sub. (4) in accordance with 20 USC 107 to 107f.

**SECTION 1187.** 47.03 (11) (e) of the statutes is amended to read:

47.03 (11) (e) The department shall distribute at least $218,600 from the appropriations in s. 20.445 (5) (bm) (a) and (na) (n) in each fiscal year for homecraft
services relating to the marketing and distribution of homecraft products for each
client who participates in the homecraft program.

**SECTION 1187.** 48.275 (2) (d) of the statutes is amended to read:

48.275 (2) (d) 1. In a county having a population of less than 500,000,
reimbursement payments shall be made to the clerk of courts of the county where the
proceedings took place. Each payment shall be transmitted to the county treasurer,
who shall deposit 25% of the amount paid for state–provided counsel in the county
treasury and transmit the remainder to the *state treasurer secretary of
administration*. Payments transmitted to the *state treasurer secretary of
administration* shall be deposited in the general fund and credited to the
appropriation account under s. 20.550 (1) (L). The county treasurer shall deposit
100% of the amount paid for county–provided counsel in the county treasury.

2. In a county having a population of 500,000 or more, reimbursement
payments shall be made to the clerk of courts of the county where the proceedings
took place. Each payment shall be transmitted to the *state treasurer secretary of
administration*, who shall deposit the amount paid in the general fund and credit
25% of the amount paid to the appropriation account under s. 20.435 (3) (gx) and the
remainder to the appropriation account under s. 20.550 (1) (L).

**SECTION 1189.** 48.715 (3) (a) 3. of the statutes is amended to read:

48.715 (3) (a) 3. A person against whom the department has assessed a
forfeiture shall pay that forfeiture to the department within 10 days after receipt of
notice of the assessment or, if that person contests that assessment under s. 48.72,
within 10 days after receipt of the final decision after exhaustion of administrative
review or, if that person petitions for judicial review under ch. 227, within 10 days
after receipt of the final decision after exhaustion of judicial review. The department
shall remit all forfeitures paid under this subdivision to the state treasurer secretary of administration for deposit in the school fund.

SECTION 1190. 48.985 (2) of the statutes is amended to read:

48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the appropriation under s. 20.435 (7) (o), the department shall distribute not more than $3,964,400 $3,809,600 in each fiscal year of the moneys received under 42 USC 620 to 626 to county departments under ss. 46.215, 46.22, and 46.23 for the provision or purchase of child welfare projects and services, for services to children and families, for services to the expectant mothers of unborn children, and for family-based child welfare services.

SECTION 1191. 49.015 (2) of the statutes is amended to read:

49.015 (2) RECIPIENTS OF OTHER AID. Except as provided in sub. (3), an individual is not eligible for relief for a month in which the individual has received aid to families with dependent children under s. 49.19 or supplemental security income under 42 USC 1381 to 1383c or has participated in a Wisconsin Works employment position under s. 49.147 (3) to (5), as defined in s. 49.141 (1) (r), or in which aid to families with dependent children, supplemental security income benefits, or a Wisconsin Works employment position is immediately available to the individual.

SECTION 1192. 49.13 (2) (cm) of the statutes is amended to read:

49.13 (2) (cm) The amount of food stamp benefits paid to a recipient who is a participant in a Wisconsin Works employment position under s. 49.147 (4) or (5) shall be calculated based on the pre-sanction benefit amount received under s. 49.148. The amount of food stamp benefits paid to a recipient who is a participant in a Wisconsin Works employment position under s. 49.147 (3m) shall be calculated
based on the participant’s gross wages under s. 49.148 (1) (am) and stipend, if any, under s. 49.147 (3m) (g), as reduced under s. 49.148 (4), if relevant.

**SECTION 1193.** 49.136 (2) (b) of the statutes is amended to read:

49.136 (2) (b) The department shall attempt to award grants under this section to head start agencies designated under 42 USC 9836, employers that provide or wish to provide child care services for their employees, family day care centers, group day care centers and day care programs for the children of student parents, organizations that provide child care for sick children, and child care providers that employ participants or former participants in a Wisconsin Works employment position under s. 49.147 (3) to (5), as defined in s. 49.141 (1) (r).

**SECTION 1194.** 49.138 (1m) (intro.) of the statutes is amended to read:

49.138 (1m) (intro.) The department shall implement a program of emergency assistance to needy persons in cases of fire, flood, natural disaster, homelessness or impending homelessness, or energy crisis. The department shall establish the maximum amount of aid to be granted, except for cases of energy crisis, per family member based on the funding available under s. 20.445 (3) (de) (dz) and (md). The department need not establish the maximum amount by rule under ch. 227. The department shall publish the maximum amount and annual changes to it in the Wisconsin administrative register. Emergency assistance provided to needy persons under this section in cases of fire, flood, natural disaster, or energy crisis may only be provided to a needy person once in a 12−month period. Emergency assistance provided to needy persons under this section in cases of homelessness or impending homelessness may be used only to obtain or retain a permanent living accommodation and, except as provided in sub. (2), may only be provided to a needy person once in a 36−month period. For the purposes of this section, a family is
considered to be homeless, or to be facing impending homelessness, if any of the following applies:

**SECTION 1195.** 49.141 (1) (e) of the statutes is amended to read:

49.141 (1) (e) “Job access loan” means a loan administered under s. 49.147 (6).

49.1471.

**SECTION 1196.** 49.141 (1) (mc) of the statutes is created to read:

49.141 (1) (mc) “Transitional subsidized private sector job” means a work component of Wisconsin Works administered under s. 49.147 (3m).

**SECTION 1197.** 49.141 (1) (o) of the statutes is created to read:

49.141 (1) (o) “Unsubsidized employment” means employment for which the department or a Wisconsin Works agency provides no wage subsidy or reimbursement to the employer, including self-employment and entrepreneurial activities.

**SECTION 1198.** 49.141 (1) (om) of the statutes is created to read:

49.141 (1) (om) “Wages” has the meaning given in s. 109.01 (3).

**SECTION 1199.** 49.141 (4) of the statutes is amended to read:

49.141 (4) NONENTITLEMENT. Notwithstanding fulfillment of the eligibility requirements for any component of Wisconsin works Works, an individual is not entitled to services, employment, or benefits under Wisconsin works Works.

**SECTION 1200.** 49.141 (5) (a) of the statutes is amended to read:

49.141 (5) (a) Have the effect of filling a vacancy created by an employer terminating a regular employee or otherwise reducing its work force for the purpose of hiring an individual under s. 49.147 (3), (4) or (5).

**SECTION 1201.** 49.143 (2) (a) 4. of the statutes is amended to read:
49.143 (2) (a) 4. Create, and encourage others to create, on-the-job training sites for persons who are eligible for trial jobs, transitional subsidized private sector jobs, or community service jobs.

**SECTION 1202.** 49.143 (2) (a) 5. of the statutes is amended to read:

49.143 (2) (a) 5. Foster and guide the entrepreneurial efforts of participants who are eligible for trial jobs, transitional subsidized private sector jobs, or community service jobs.

**SECTION 1203.** 49.143 (2) (a) 6. of the statutes is amended to read:

49.143 (2) (a) 6. Provide mentors, both from its membership and from recruitment of members of the community, to provide job-related guidance, including assistance in resolving job-related issues and the provision of job leads or references, to persons who are eligible for trial jobs, transitional subsidized private sector jobs, or community service jobs.

**SECTION 1204.** 49.143 (2) (f) of the statutes is renumbered 49.143 (2) (g) and amended to read:

49.143 (2) (g) Perform any other tasks specified by the department in the contract that the department determines are necessary for the administration of Wisconsin works Works.

**SECTION 1205.** 49.143 (2) (fm) of the statutes is created to read:

49.143 (2) (fm) Provide to every participant in a transitional subsidized private sector job information about and assistance in obtaining any work supports for which the participant is eligible, such as child care, health insurance, and income tax credits and refunds.

**SECTION 1206.** 49.143 (3g) (a) 4. of the statutes is amended to read:
49.143 (3g) (a) 4. Wages and benefits earned in unsubsidized employment by former participants in Wisconsin works Works employment positions.

**SECTION 1207.** 49.145 (1) of the statutes is amended to read:

49.145 (1) **GENERAL ELIGIBILITY.** In order to be eligible for a Wisconsin works Works employment positions and position or job access loans loan for any month, an individual shall meet the eligibility requirements under subs. (2) and (3). The department may promulgate rules establishing additional eligibility criteria and specifying how eligibility criteria are to be administered. The department may promulgate rules establishing payment and reporting periods as needed to administer this subsection.

**SECTION 1208.** 49.145 (2) (i) of the statutes is amended to read:

49.145 (2) (i) The individual is not receiving supplemental security income under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77 and, if the individual is a dependent child, the custodial parent of the individual does not receive a payment on behalf of the individual under s. 49.775. The department may require an individual who receives a stipend under s. 49.147 (3m) (g) or benefits under s. 49.148 and who has applied for supplemental security income under 42 USC 1381 to 1383c to authorize the federal social security administration to reimburse the department for the stipend paid to the individual under s. 49.147 (3m) (g) or the benefits paid to the individual under s. 49.148 during the period that the individual was entitled to supplemental security income benefits to the extent that retroactive supplemental security income benefits are made available to the individual.

**SECTION 1209.** 49.145 (2) (s) of the statutes is amended to read:

49.145 (2) (s) The individual assigns to the state any right of the individual or of any dependent child of the individual to support or maintenance from any other
person, including any right to amounts accruing during the time that any Wisconsin works Works stipend or benefit is paid to the individual. If a minor who is a beneficiary of any Wisconsin works Works stipend or benefit is also the beneficiary of support under a judgment or order that includes support for one or more children not receiving a benefit who are not beneficiaries under Wisconsin works Works, any support payment made under the judgment or order is assigned to the state during the period that the minor is a beneficiary of the Wisconsin works Works stipend or benefit in the amount that is the proportionate share of the minor receiving the benefit who is the beneficiary under Wisconsin works Works, except as otherwise ordered by the court on the motion of a party. Amounts assigned to the state under this paragraph remain assigned to the state until the amount due to the federal government has been recovered. No amount of support that begins to accrue after the individual ceases to receive the stipend or benefits under Wisconsin works Works may be considered assigned to this state. Except as provided in s. 49.1455, any money received by the department in a month under an assignment to the state under this paragraph for an individual applying for or participating in Wisconsin works Works shall be paid to the individual applying for or participating in Wisconsin works Works. The department shall pay the federal share of support assigned under this paragraph as required under federal law or waiver.

**SECTION 1210.** 49.145 (3) (b) 1. of the statutes is amended to read:

49.145 (3) (b) 1. All earned and unearned income of the individual, except any amount received under section 32 of the Internal Revenue Code, as defined in s. 71.01 (6), any amount received under s. 71.07 (9e), any payment made by an employer under section 3507 of the Internal Revenue Code, as defined in s. 71.01 (6), any student financial aid received under any federal or state program, any scholarship
used for tuition and books, any wages received under s. 49.148 (1) (am) or stipend
received under s. 49.147 (3m) (g), and any assistance received under s. 49.148. In
determining the earned and unearned income of the individual, the Wisconsin works
agency may not include income earned by a dependent child of the individual.

SECTION 1211. 49.146 (title) of the statutes is amended to read:

49.146 (title) Employer criteria and selection.

SECTION 1212. 49.146 of the statutes is renumbered 49.146 (1) and amended
to read:

49.146 (1) Eligibility criteria. The subject to sub. (2), the department shall
establish by rule criteria that an employer providing a Wisconsin works Works
employment position must meet in order to employ a participant under s. 49.147 (3)
to (5). An employer that does not meet the criteria established under this section
subsection is ineligible to receive any subsidy or reimbursement of costs for any
position provided to a participant.

SECTION 1213. 49.146 (2) of the statutes is created to read:

49.146 (2) Selection of employers for transitional subsidized jobs. To be
eligible to employ a participant under s. 49.147 (3m), an employer must be selected
by the department under this subsection. The department shall request from
employers proposals for employing participants under s. 49.147 (3m). The
department shall select, and enter into contracts with, employers that meet the
criteria established under sub. (1) and that demonstrate the ability to do all of the
following:

(a) Create useful transitional subsidized private sector jobs.

(b) Provide effective supervision for participants.

(c) Manage payroll, taxes, and other financial matters in a responsible manner.
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1. (d) Coordinate closely and cooperatively with a Wisconsin Works agency in moving participants employed by the employer under s. 49.147 (3m) into stable unsubsidized employment as quickly as possible.

2. (e) Comply in all respects with the Wisconsin Works program.

SECTION 1214. 49.1465 of the statutes is created to read:

49.1465 Education and training. (1) Educational needs assessment. A Wisconsin Works agency shall conduct an educational needs assessment of each individual who applies for a Wisconsin Works employment position. If the individual and the Wisconsin Works agency determine that the individual needs, or would benefit from, education or training activities, including a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation, the Wisconsin Works agency shall include education or training activities in any employability plan developed for the individual. The Wisconsin Works agency shall pay, or arrange for payment, for the education or training services identified in the employability plan to the extent that funds are available.

(2) Program and employer coordination. A Wisconsin Works agency shall do all of the following:

SECTION 1215. 49.147 (title) of the statutes is amended to read:

49.147 (title) Wisconsin works works; work programs and job access loans.

SECTION 1216. 49.147 (1) of the statutes is repealed.

SECTION 1217. 49.147 (1m) of the statutes is repealed.

SECTION 1218. 49.147 (2) (a) 1. of the statutes is amended to read:
49.147 (2) (a) 1. An individual who applies for a Wisconsin works employment position may be required by the Wisconsin works agency to search for unsubsidized employment during the period that his or her application is being processed as a condition of eligibility. A Subject to sub. (3m) (f) 2., a participant in a Wisconsin works employment position shall search for unsubsidized employment throughout his or her participation. The department shall define by rule satisfactory search efforts for unsubsidized employment.

SECTION 1219. 49.147 (3) (a) of the statutes is amended to read:

49.147 (3) (a) Administration. A Wisconsin works agency shall administer a trial job program as part of its administration of the Wisconsin works program to improve the employability of individuals who are not otherwise able to obtain unsubsidized employment, as determined by the Wisconsin works agency, by providing work experience and training to assist them to move promptly into unsubsidized employment. In determining an appropriate placement for a participant, a Wisconsin works agency shall give priority to placement under this subsection over placements under subs. (3m), (4), and (5). The Wisconsin works agency shall pay a wage subsidy to an employer that employs a participant under this subsection and agrees to make a good faith effort to retain the participant as a permanent unsubsidized employee after the wage subsidy is terminated. The wage subsidy may not exceed $300 per month for full-time employment of a participant. For less than full-time employment of a participant during a month, the wage subsidy may not exceed a dollar amount determined by multiplying $300 by a fraction, the numerator of which is the number of hours worked by the participant in the month and the denominator of which is the number of hours which would be required for full-time employment in that month.
SEC_1220. 49.147 (3m) of the statutes is created to read:

49.147 (3m) TRANSITIONAL SUBSIDIZED PRIVATE SECTOR JOBS. (a) Administration.

1. A Wisconsin Works agency shall administer a transitional subsidized private sector job program as part of its administration of the Wisconsin Works program to improve the employability of individuals who are not otherwise able to obtain unsubsidized employment, as determined by the Wisconsin Works agency. If a Wisconsin Works agency determines for a participant that a placement under sub. (3) is inappropriate, or that an appropriate trial job is unavailable, and that a placement under either this subsection or sub. (4) is appropriate, the participant shall be allowed to choose between a placement under this subsection and a placement under sub. (4), to the extent of the availability of appropriate transitional subsidized private sector jobs and community service jobs. A placement under this subsection shall be given priority over placements under sub. (5).

2. If a participant chooses a placement under this subsection, a Wisconsin Works agency shall arrange for a transitional subsidized private sector job, if available, to be offered to the participant at a reasonably accessible location with one or more employers selected under s. 49.146 (2). Job offers under this subsection shall be limited by the number of employers selected under s. 49.146 (2) and the number and types of employment positions available with each employer, as provided in the employer’s contract with the department.

3. An employer that employs a participant under this subsection shall be reimbursed by the department for up to 100% of the employer’s costs that are attributable to employment of the participant, as determined by the department, including any of the following:

   a. Wages.
b. Federal social security taxes.

c. State and federal unemployment contributions or taxes, if any.

d. Worker’s compensation insurance premiums, if any.

e. Liability insurance premiums, if any.

f. Supervisory costs and other overhead as specified in the employer’s contract with the department.

(b) Jobs description. 1. To the extent possible, each transitional subsidized private sector job shall be designed by the employer, in consultation with the Wisconsin Works agency and the department, to meet the needs and fit the abilities of the participant to whom the job is offered. Each transitional subsidized private sector job shall involve the performance of useful work. Employers offering transitional subsidized private sector jobs and the department shall consult with labor unions representing public sector employees on the design of transitional subsidized private sector jobs to ensure compliance with s. 49.141 (5).

2. The department may design transitional subsidized private sector jobs that do any of the following:

a. Allow a participant to work in supported employment, if the Wisconsin Works agency determines that the participant is highly unlikely to be able to obtain or retain unsubsidized employment at a minimum wage.

b. Allow a participant to care for a severely disabled child or other relative of the participant, if the Wisconsin Works agency determines that such an arrangement would be cost–effective for taxpayers.

(c) Required hours. Unless a different number of hours is recommended on a case–by–case basis by the Wisconsin Works agency in accordance with guidelines established by the department, each transitional subsidized private sector job shall
provide at least 25 hours, but not more than 30 hours, of work per week to allow a participant time to continue to search for unsubsidized employment, as required under par. (f).

(d) Employer-employee relationship. 1. Except as otherwise provided in this subsection or in a contract between the department and the employer, a participant who accepts a transitional subsidized private sector job with an employer selected under s. 49.146 (2) is an employee of that employer for all purposes and in all respects. The participant shall be supervised in the same manner as the employer’s other employees, shall be covered under the employer’s worker’s compensation coverage, and shall receive his or her paycheck in the same manner as the employer’s other employees, with appropriate payroll deductions. The department may require an employer to provide a sick leave benefit to a participant in a transitional subsidized private sector job.

2. A participant working in a transitional subsidized private sector job may be terminated from employment by the employer, in accordance with guidelines established by the department, for misconduct, failure to perform work satisfactorily, or repeated unexcused absences from work. A participant who believes that he or she has been wrongfully terminated under this subdivision from a transitional subsidized private sector job may appeal the termination to the department.

(e) Time-limited participation. A participant under this subsection may be employed in any one transitional subsidized private sector job for a maximum of 6 months, unless granted an extension by the Wisconsin Works agency. A participant may be employed in more than one transitional subsidized private sector job, and at the conclusion of each assignment under this subsection, the Wisconsin Works
agency shall reassess the individual’s employability. A participant’s employment under this subsection may not exceed 24 months, which need not be consecutive. The department or, with the approval of the department, the Wisconsin Works agency may grant an extension of the 24-month limit on a case-by-case basis if any of the following applies:

1. The participant is employed under par. (b) 2. a. or b.

2. The participant has made all appropriate job search efforts but has been unable to find unsubsidized employment because local labor market conditions preclude a reasonable job opportunity for that participant, as determined by a Wisconsin Works agency and approved by the department.

(f) *Unsubsidized employment search.* 1. Except as provided in subd. 2., a participant in a transitional subsidized private sector job shall search for unsubsidized employment throughout his or her participation, including any time during which the participant is pursuing education or training under par. (g). The Wisconsin Works agency shall determine, in accordance with guidelines established by the department, the number of hours that a participant in a transitional subsidized private sector job should reasonably spend searching for unsubsidized employment.

2. A Wisconsin Works agency may grant a participant in a transitional subsidized private sector job an exception to the requirement under subd. 1. if any of the following applies:

a. The participant is employed under par. (b) 2. a. or b.

b. The Wisconsin Works agency determines, in accordance with guidelines established by the department, that the participant has made all appropriate job
search efforts but has been unable to find unsubsidized employment because local
labor market conditions preclude a reasonable job opportunity for that participant.

3. If the Wisconsin Works agency determines that a participant working in a
transitional subsidized private sector job is not making satisfactory or good faith
efforts to seek unsubsidized employment after having been given appropriate notice
by the Wisconsin Works agency, as defined by the department, the participant shall
be terminated from his or her employment in the transitional subsidized private
sector job. A participant who believes that he or she has been wrongfully terminated
under this subdivision may appeal the termination to the department.

(g) *Education or training substitution.* 1. If a participant has been employed
in a transitional subsidized private sector job for at least 2 weeks and the employer
determines that the participant’s work performance has been satisfactory, the
participant and the Wisconsin Works agency, in consultation with the employer, may
enter into an agreement under which all of the following occur:

a. The participant enrolls in an education or training program that the
participant and Wisconsin Works agency agree has a high probability of enabling the
participant to acquire skills leading to unsubsidized employment.

b. The participant’s work hours in the transitional subsidized private sector job
are reduced to between 15 and 20 hours per week.

c. The Wisconsin Works agency pays the participant a stipend equal to 90% of
the wages that the participant would have earned in the transitional subsidized
private sector job if his or her hours had not been reduced.

2. A stipend under subd. 1. c. may not be paid for longer than 3 months, unless
the Wisconsin Works agency recommends a longer period in accordance with
guidelines established by the department. In no case, however, may the stipend be
paid after the participant’s employment in the transitional subsidized private sector job terminates.

**SECTION 1221.** 49.147 (4) (a) of the statutes is amended to read:

49.147 (4) (a) **Administration.** A Wisconsin works Works agency shall administer a community service job program as part of its administration of Wisconsin works Works to improve the employability of an individual who is not otherwise able to obtain employment, as determined by the Wisconsin works Works agency, by providing work experience and training, if necessary, to assist the individual to move promptly into unsubsidized public or private employment or a trial job. In determining an appropriate placement for a participant, a Wisconsin works Works agency shall give placement under this subsection priority over placements under sub. (5). If a Wisconsin Works agency determines that placement is appropriate for a participant under either this subsection or sub. (3m), the participant shall be allowed to choose between a placement under this subsection and a placement under sub. (3m), to the extent of the availability of appropriate transitional subsidized private sector jobs and community service jobs. Community service jobs shall be limited to projects that the department determines would serve a useful public purpose or projects the cost of which is partially or wholly offset by revenue generated from such projects. After each 6 months of an individual’s participation under this subsection and at the conclusion of each assignment under this subsection, a Wisconsin works Works agency shall reassess the individual’s employability.

**SECTION 1222.** 49.147 (5) (a) 3. of the statutes is amended to read:
49.147 (5) (a) 3. The Wisconsin works Works agency determines that the individual is incapable of performing a trial job, transitional subsidized private sector job, or community service job.

**SECTION 1223.** 49.147 (6) of the statutes, as affected by 2003 Wisconsin Act ..., (this act), is renumbered 49.1471, and 49.1471 (title), (1) (c), (2) (c), (3m) (b) and (4) (intro.), as renumbered, are amended to read:

49.1471 (title) **Job Wisconsin Works; job access loan loans.**

(1) (c) The individual is not in default with respect to the repayment of any previous job access loan or repayment of any grant or wage, or stipend overpayments under this section Wisconsin Works.

(2) (c) The terms and conditions of repayment. The rules promulgated under this subdivision paragraph shall provide for repayment by performance of in-kind services. The rules shall establish criteria that the Wisconsin works Works agency shall use to approve in-kind repayment of loans.

(3m) (b) Subdivision 1. Paragraph (a) applies to delinquent repayments existing on or after the effective date of this subdivision paragraph ..., [revisor inserts date], regardless of when the loan was made or when the delinquency accrued.

(4) MINOR CUSTODIAL PARENTS. (intro.) An individual who would be eligible for a job access loan under par. (a) sub. (1), except that the individual has not attained the age of 18, is eligible under this paragraph subsection if the individual meets the following requirements:

**SECTION 1224.** 49.147 (6) (c) of the statutes is amended to read:

49.147 (6) (c) **Distribution and administration.** From the appropriations under s. 20.445 (3) (d), (jL), and (md), the department shall distribute funds for job
access loans to a Wisconsin works agency, which shall administer the loans in accordance with rules promulgated by the department.

**SECTION 1225.** 49.147 (6) (cm) of the statutes is created to read:

> 49.147 (6) (cm) *Collection of delinquent repayments.* 1. The department of workforce development may, in the manner provided in s. 49.85, collect job access loan repayments that are delinquent under the terms of a repayment agreement. The department of workforce development shall credit all delinquent repayments collected by the department of revenue as a setoff under s. 71.93 to the appropriation account under s. 20.445 (3) (jL). Use of the process under s. 49.85 does not preclude the department of workforce development from collecting delinquent repayments through other legal means.

2. Subdivision 1. applies to delinquent repayments existing on or after the effective date of this subdivision .... [revisor inserts date], regardless of when the loan was made or when the delinquency accrued.

**SECTION 1226.** 49.148 (1) (intro.) of the statutes is amended to read:

> 49.148 (1) _Benefit levels and wages for participants in employment positions._ (intro.) A participant in a Wisconsin works employment position shall receive the following benefits or wages:

**SECTION 1227.** 49.148 (1) (am) of the statutes is created to read:

> 49.148 (1) (am) *Transitional subsidized private sector jobs.* For a participant in a transitional subsidized private sector job, the prevailing federal minimum wage for hours actually worked, paid by the participant’s employer.

**SECTION 1228.** 49.148 (1) (b) 1. of the statutes is amended to read:

> 49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a community service job under s. 49.147 (4), a monthly grant of $673, paid by the
Wisconsin works agency. For every hour that the participant misses work or education or training activities without good cause, the grant amount shall be reduced by $5.15. Good cause shall be determined by the financial and employment planner in accordance with rules promulgated by the department. Good cause shall include required court appearances for a victim of domestic abuse. If a participant in a community service job under s. 49.147 (4) is required to work fewer than 30 hours per week because the participant has unsubsidized employment, as defined in s. 49.147 (1) (c), the grant amount under this paragraph shall equal the amount specified under subd. 1m. minus $5.15 for each hour that the participant misses work or education or training activities without good cause.

Section 1229. 49.148 (1m) (a) of the statutes is amended to read:

49.148 (1m) (a) A person who meets the eligibility requirements under s. 49.145 (2) and (3) and who is a custodial parent of a child who is 12 weeks 6 months old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant of $673 unless another adult member of the custodial parent’s Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under this subsection to participate in any Wisconsin works employment positions. Receipt of a grant under this subsection does not constitute participation in a Wisconsin works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b) or (5) (b) 2. if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position.
Section 1230. 49.148 (1m) (b) of the statutes is renumbered 49.148 (1m) (b) and amended to read:

49.148 (1m) (b) 2. Receipt of a grant under this subsection constitutes participation in a Wisconsin Works employment position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (3m) (e), (4) (b), or (5) (b) 2. if the child is born to the participant more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin Works employment position unless the child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician and to law enforcement authorities.

Section 1231. 49.148 (1m) (b) 1. of the statutes is created to read:

49.148 (1m) (b) 1. Receipt of a grant under this subsection does not constitute participation in a Wisconsin Works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (3m) (e), (4) (b), or (5) (b) 2. if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin Works employment position.

Section 1232. 49.148 (4) (a) of the statutes is amended to read:

49.148 (4) (a) A Wisconsin Works agency shall require a participant in a transitional subsidized private sector job, community service job, or transitional placement who, after August 22, 1996, was convicted in any state or federal court of a felony that had as an element possession, use, or distribution of a controlled substance to submit to a test for use of a controlled substance as a condition of
continued eligibility. If the test results are positive, the Wisconsin works Works agency shall decrease the presanction benefit amount for that a participant in a community service job or a transitional placement not more than 15%, and shall decrease the number of hours that a participant in a transitional subsidized private sector job may work by up to 15%, for not fewer than 12 months, or for the remainder of the participant's period of participation in a transitional subsidized private sector job, community service job, or transitional placement, if less than 12 months. If, at the end of 12 months, the individual is still a participant in a transitional subsidized private sector job, community service job, or transitional placement and submits to another test for use of a controlled substance and if the results of the test are negative, the Wisconsin works Works agency shall discontinue the reduction in benefits or work hours under this paragraph.

Section 1233. 49.148 (4) (b) of the statutes is amended to read:

49.148 (4) (b) The Wisconsin works Works agency may require an individual who tests positive for use of a controlled substance under par. (a) to participate in a drug abuse evaluation, assessment, and treatment program as part of the participation requirement under s. 49.147 (4) (as) or (5) (bs) or as a condition of employment in the transitional subsidized private sector job.

Section 1234. 49.149 (intro.) of the statutes is repealed.

Section 1235. 49.149 (1) of the statutes is renumbered 49.1465 (2) (a).

Section 1236. 49.149 (3) of the statutes is renumbered 49.1465 (2) (b).

Section 1237. 49.149 (4) of the statutes is renumbered 49.1465 (2) (c).

Section 1238. 49.15 (3) (a) of the statutes is amended to read:

49.15 (3) (a) Unsubsidized employment, as defined in s. 49.147 (1) (c).

Section 1239. 49.152 (1) of the statutes is amended to read:
49.152 (1) **Petition for review.** Any individual whose application for any component of Wisconsin works Works is not acted upon by the Wisconsin works Works agency with reasonable promptness after the filing of the application, as defined by the department by rule, or is denied in whole or in part, whose benefit, wage, or stipend is modified or canceled, or who believes that the benefit, wage, or stipend was calculated incorrectly or that the Wisconsin Works employment position in which the individual was placed or the transitional subsidized private sector job that the individual was offered is inappropriate, may petition the Wisconsin works Works agency for a review of such action. Review is unavailable if the action by the Wisconsin works Works agency occurred more than 45 days prior to submission of the petition for review.

**Section 1240.** 49.152 (3) (a) of the statutes is amended to read:

49.152 (3) (a) If, following review under sub. (2), the Wisconsin works Works agency or the department determines that an individual, whose application for a Wisconsin works Works employment position was denied based on eligibility, was in fact eligible, or that the individual was placed in an inappropriate Wisconsin works Works employment position or offered an inappropriate transitional subsidized private sector job, the Wisconsin works Works agency shall place the individual in the first available Wisconsin works Works employment position, or offer the individual the first available transitional subsidized private sector job, that is appropriate for that individual, as determined by the Wisconsin works Works agency or the department. An individual who is placed in a Wisconsin works employment position under this paragraph is eligible for the benefit for that position under s. 49.148 beginning on the date on which the individual begins participation under s. 49.147.
SECTION 1241. 49.152 (3) (b) of the statutes is amended to read:

49.152 (3) (b) If, following review under sub. (2), the Wisconsin works Works agency or the department determines that a participant’s benefit, wage, or stipend was improperly modified or canceled, or was calculated incorrectly, the Wisconsin works Works agency shall restore the benefit, wage, or stipend to the level determined to be appropriate by the Wisconsin works Works agency or by the department retroactive to the date on which the benefit, wage, or stipend was first improperly modified or canceled or incorrectly calculated.

SECTION 1242. 49.155 (1g) (b) of the statutes is amended to read:

49.155 (1g) (b) From the appropriation under s. 20.445 (3) (mc), distribute $44,955,200 in fiscal year 2001–02 and $27,977,500 $6,679,100 in each fiscal year 2002–03 for the purposes of providing technical assistance for child care providers, for administering the child care program under this section and for grants under s. 49.136 (2) for the start–up and expansion of child day care services, for child day care start–up and expansion planning, for grants under s. 49.134 (2) for child day care resource and referral services, for grants under s. 49.137 (3) to assist child care providers in meeting the quality of care standards established under sub. (1d), for a system of rates or a program of grants, as provided under sub. (1d), for reimbursement of child care providers that meet those quality of care standards, for grants under s. 49.137 (2) and (4m), for a child care scholarship and bonus program, for safe child care activities, and for administration of the department’s office of child care, and for contracts under s. 49.137 (4) to improve the quality of child day care services in this state.

SECTION 1243. 49.155 (1g) (c) of the statutes is amended to read:
49.155 (1g) (c) From the appropriation account under s. 20.445 (3) (mc), transfer $4,549,500 $4,440,600 in fiscal year 2001−02 2003−04 and $4,733,700 $4,507,900 in fiscal year 2002−03 2004−05 to the appropriation account under s. 20.435 (3) (kx).

SECTION 1244. 49.155 (1g) (d) of the statutes is repealed.

SECTION 1245. 49.155 (1m) (a) 3. of the statutes is amended to read:

49.155 (1m) (a) 3. Work in a Wisconsin works Works employment position, including participation in job search, orientation and training activities under s. 49.147 (2) (a) or (3m) (f) and in education or training activities under s. 49.1465 or 49.147 (3) (am), (3m) (g), (4) (am), or (5) (bm).

SECTION 1246. 49.161 (4) of the statutes is created to read:

49.161 (4) TRANSITIONAL SUBSIDIZED PRIVATE SECTOR JOBS OVERPAYMENTS. The department shall by rule specify a process for recovering an overpayment of wages paid under s. 49.148 (1) (am) or an overpayment of a stipend paid under s. 49.147 (3m) (g), including an overpayment caused by an intentional violation of ss. 49.141 to 49.161 or of rules promulgated under those sections, that permits an employer to recover a wage overpayment from the individual to whom the wage was paid and that requires the department to recover from an employer any overpayment of a reimbursement paid by the department to the employer.

SECTION 1247. 49.1635 (1) of the statutes is amended to read:

49.1635 (1) To the extent permitted under federal law and subject to sub. (2), from the appropriation under s. 20.445 (3) (md) the department shall may distribute funds to the Wisconsin Trust Account Foundation in an amount equal up to the amount received by the foundation from private donations, but not to exceed $100,000 in each a fiscal year. Except as provided in sub. (4), funds distributed under
this subsection may be used only for the provision of legal services to individuals who
are eligible for temporary assistance for needy families under 42 USC 601 et seq. and
whose incomes are at or below 200% of the poverty line.

**SECTION 1248.** 49.167 (1) (intro.) of the statutes is amended to read:

49.167 (1) (intro.) The department shall may award grants to counties, tribal
governing bodies, and private entities to provide community-based alcohol and
other drug abuse treatment programs that are targeted at individuals who have a
family income of not more than 200% of the poverty line and who are eligible for
temporary assistance for needy families under 42 USC 601 et seq. and that do all of
the following:

**SECTION 1249.** 49.167 (2) (intro.) of the statutes is amended to read:

49.167 (2) (intro.) The department shall do all of the following with respect to
the any grants awarded under par. (a):

**SECTION 1250.** 49.169 (2) of the statutes is amended to read:

49.169 (2) The department shall may award not more than $1,404,100 in
grants to qualified applicants for the provision of literacy training to individuals who
are eligible for temporary assistance for needy families under 42 USC 601 et. et seq.

**SECTION 1251.** 49.169 (4) of the statutes is amended to read:

49.169 (4) The department, in consultation with the technical college system
board, the department of public instruction, and the governor’s office, shall develop
written criteria to be used to evaluate the any grant proposals and to allocate the any
grants under this section among the successful grant applicants.

**SECTION 1252.** 49.175 (1) (intro.) of the statutes is amended to read:

49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
the limits of the appropriations under s. 20.445 (3) (a), (cm), (de), (dz), (e), (jL), (k),
(kx), (L), (mc), (md), and (nL), (pm), and (ps), the department shall allocate the following amounts for the following purposes:

**SECTION 1253.** 49.175 (1) (a) of the statutes is amended to read:

49.175 (1) (a) **Wisconsin works** **Works benefits, wages, and stipends.** For Wisconsin works **Works** benefits provided under contracts having a term that begins on January 1, 2000 **2002**, and ends on December 31, 2001 **2003**, $24,654,800 **35,713,700** in fiscal year 2001−02 **2003−04**; and for Wisconsin works **Works** benefits, wages, and stipends provided under contracts having a term that begins on January 1, 2002 **2004**, and ends on December 31, 2003 **2005**, $24,654,800 **35,713,800** in fiscal year 2001−02 **2003−04** and $49,309,600 **78,410,800** in fiscal year 2002−03 **2004−05**.

**SECTION 1254.** 49.175 (1) (b) of the statutes is amended to read:

49.175 (1) (b) **Wisconsin works** **Works administration and ancillary services.** For administration of Wisconsin works **Works** and program services under Wisconsin works **Works** performed under contracts under s. 49.143 having a term that begins on January 1, 2000 **2002**, and ends on December 31, 2001 **2003**, $63,269,900 **11,139,800** in fiscal year 2001−02 **2003−04**; and for administration of Wisconsin works **Works** and program services under Wisconsin works **Works** performed under contracts under s. 49.143 having a term that begins on January 1, 2002 **2004**, and ends on December 31, 2003 **2005**, $49,610,800 **99,221,600** $22,279,700 in fiscal year 2001−02 **2003−04** and $49,309,600 **78,410,800** in fiscal year 2002−03 **2004−05**.

**SECTION 1255.** 49.175 (1) (c) of the statutes is amended to read:

49.175 (1) (c) **Performance bonuses.** For the payment of performance bonuses to Wisconsin works **Works** agencies that have entered into contracts under s. 49.143
hence a term that begins on January 1, **2000 2002**, and that ends on December 31, **2001, $12,620,800 2002 2003, $0 in fiscal year 2001–02 2003–04.**

**SECTION 1256.** 49.175 (1) (d) of the statutes is repealed.

**SECTION 1257.** 49.175 (1) (e) of the statutes is repealed.

**SECTION 1258.** 49.175 (1) (f) of the statutes is created to read:

49.175 (1) (f) *Wisconsin Works ancillary services.* For program services under Wisconsin Works, including transportation assistance for individuals who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., provided under contracts under s. 49.143 having a term that begins on January 1, 2002, and ends on December 31, 2003, $27,803,300 in fiscal year 2003–04; and for program services under Wisconsin Works, including transportation assistance for individuals who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., education and training, mentoring, and other services provided under contracts under s. 49.143 having a term that begins on January 1, 2004, and ends on December 31, 2005, $27,803,300 in fiscal year 2003–04 and $55,606,600 in fiscal year 2004–05.

**SECTION 1259.** 49.175 (1) (g) of the statutes is amended to read:

49.175 (1) (g) *State administration of public assistance programs.* For state administration of public assistance programs, $24,680,700 in fiscal year 2001–02 and $24,693,200 $18,552,100 in each fiscal year 2002–03.

**SECTION 1260.** 49.175 (1) (h) of the statutes is repealed.

**SECTION 1261.** 49.175 (1) (i) of the statutes is amended to read:

49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138, $3,300,000 $4,500,000 in each fiscal year.

**SECTION 1262.** 49.175 (1) (j) of the statutes is repealed.
SECTION 1263. 49.175 (1) (n) of the statutes is amended to read:

49.175 (1) (n) Job access loans. For job access loans under s. 49.147 (6), $600,000 $200,000 in each fiscal year.

SECTION 1264. 49.175 (1) (n) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

49.175 (1) (n) Job access loans. For job access loans under s. 49.147 (6) 49.1471, $200,000 in each fiscal year.

SECTION 1265. 49.175 (1) (p) of the statutes is amended to read:

49.175 (1) (p) Direct child care services. For direct child care services under s. 49.155, $274,500,000 $293,634,300 in fiscal year 2001−02 2003−04 and $305,550,000 $291,385,000 in fiscal year 2002−03 2004−05.

SECTION 1266. 49.175 (1) (q) of the statutes is amended to read:

49.175 (1) (q) Indirect child care services. For indirect child care services under s. 49.155 (1g), $24,293,900 $6,859,400 in fiscal year 2001−02 2003−04 and $15,458,000 $6,926,700 in fiscal year 2002−03 2004−05.

SECTION 1267. 49.175 (1) (qm) of the statutes is amended to read:

49.175 (1) (qm) Local pass−through grant program. For the local pass−through grant program under s. 49.137 (4m), $25,210,800 in fiscal year 2001−02 and $17,253,200 $4,395,500 in each fiscal year 2002−03.

SECTION 1268. 49.175 (1) (r) of the statutes is amended to read:

49.175 (1) (r) Early childhood excellence initiative. For grants under s. 49.1375, $11,395,900 in fiscal year 2001−02 and $2,750,000 $2,500,000 in each fiscal year 2002−03.

SECTION 1269. 49.175 (1) (u) of the statutes is amended to read:
49.175 (1) (u) Workforce attachment and advancement program. For services specified under s. 49.173, $9,641,000 in fiscal year 2001–02 and $7,842,200 in each fiscal year 2002–03.

Section 1270. 49.175 (1) (v) of the statutes is repealed.

Section 1271. 49.175 (1) (y) of the statutes is repealed.

Section 1272. 49.175 (1) (z) of the statutes is amended to read:

49.175 (1) (z) Community youth grant Grants to the Boys and Girls Clubs of America. For a competitive grant program administered by the department grants to the Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., $7,829,700 in fiscal year 2001–02 and $300,000 in each fiscal year 2002–03.

Section 1273. 49.175 (1) (zd) of the statutes is repealed.

Section 1274. 49.175 (1) (ze) 1. of the statutes is amended to read:

49.175 (1) (ze) 1. ‘Kinship care and long-term kinship care assistance.’ For the kinship care and long-term kinship care programs under s. 48.57 (3m), (3n), and (3p), $24,852,600 in each fiscal year.

Section 1275. 49.175 (1) (ze) 2. of the statutes is amended to read:

49.175 (1) (ze) 2. ‘Children of recipients of supplemental security income.’ For payments made under s. 49.775 for the support of the dependent children of recipients of supplemental security income, $20,145,000 in fiscal year 2001–02 and $19,796,000 in fiscal year 2002–03 and $19,969,800 in fiscal year 2003–04.

Section 1276. 49.175 (1) (ze) 6. of the statutes is repealed.

Section 1277. 49.175 (1) (ze) 7. of the statutes is repealed.

Section 1278. 49.175 (1) (ze) 8. of the statutes is amended to read:
49.175 (1) (ze) 8. ‘Domestic abuse services grants.’ For the domestic abuse services grants under s. 46.95 (2), $1,000,000 $750,000 in each fiscal year.

SECTION 1279. 49.175 (1) (ze) 9. of the statutes is repealed.

SECTION 1280. 49.175 (1) (ze) 12. of the statutes is created to read:

49.175 (1) (ze) 12. ‘Milwaukee and statewide child welfare administration.’ For the costs associated with the Milwaukee child welfare information system and the Wisconsin statewide automated child welfare information system, $1,695,700 in fiscal year 2003–04 and $1,741,300 in fiscal year 2004–05.

SECTION 1281. 49.175 (1) (zf) of the statutes is repealed.

SECTION 1282. 49.175 (1) (zg) of the statutes is repealed.

SECTION 1283. 49.175 (1) (zh) of the statutes is amended to read:

49.175 (1) (zh) Taxable years 1999 and thereafter. For the transfer of moneys from the appropriation account under s. 20.445 (3) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit, $51,244,500 $57,892,000 in fiscal year 2001–02 2003–04 and $55,160,000 $50,300,000 in fiscal year 2002–03 2004–05.

SECTION 1284. 49.175 (1) (zj) of the statutes is amended to read:

49.175 (1) (zj) Head start Start. For the transfer of moneys to the department of public instruction for head start Head Start agencies, $3,712,500 $3,500,000 in each fiscal year.

SECTION 1285. 49.175 (1) (zk) of the statutes is repealed.

SECTION 1286. 49.179 of the statutes is repealed.

SECTION 1287. 49.19 (3) (b) of the statutes is amended to read:

49.19 (3) (b) If the county department under s. 46.215 or 46.22 finds a person eligible for aid under this section, that county department shall, on a form to be
prescribed by the department, direct the payment of such aid by order upon the state treasurer secretary of administration. Payment of aid shall be made monthly, based on a calendar month or fiscal month as defined by the department; except that the director of the county department may, in his or her discretion for the purpose of protecting the public, direct that the monthly allowance be paid in accordance with sub. (5) (c).

SECTION 1288. 49.19 (5) (d) of the statutes is amended to read:

49.19 (5) (d) The department shall reimburse the county for the funeral, burial, and cemetery expenses of a dependent child or the child’s parents as provided in s. 49.30 49.785.

SECTION 1289. 49.19 (14) (b) of the statutes is amended to read:

49.19 (14) (b) If the state treasurer secretary of administration is unable to issue a replacement check or draft requested under par. (a) because the original has been paid, the department shall promptly authorize the issuance of a replacement check or draft. If the state treasurer secretary of administration recovers the amount of the original check or draft that amount shall be returned to the department. If the state treasurer secretary of administration is unable to obtain recovery, the department may pursue recovery.

SECTION 1290. 49.195 (title) of the statutes is amended to read:

49.195 (title) Recovery of aid to families with dependent children and Wisconsin works benefits Works payments.

SECTION 1291. 49.195 (1) of the statutes is amended to read:

49.195 (1) If any parent at the time of receiving aid under s. 49.19, a stipend under s. 49.147 (3m) (g), or a benefit under s. 49.148, 49.155, or 49.157, or at any time thereafter, acquires property by gift, inheritance, sale of assets, court judgment, or
settlement of any damage claim, or by winning a lottery or prize, the county granting such aid, or the Wisconsin works Works agency granting such a stipend or benefit, may sue the parent on behalf of the department to recover the value of that portion of the aid or of the stipend or benefit which does not exceed the amount of the property so acquired. The value of the aid, stipend, or benefit liable for recovery under this section may not include the value of work performed by a member of the family in a community work experience program under s. 46.215 (1) (o), 1991 stats., s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work experience component under s. 49.193 (6), 1997 stats. During the life of the parent, the 10-year statute of limitations may be pleaded in defense against any suit for recovery under this section; and if such property is his or her homestead it shall be exempt from execution on the judgment of recovery until his or her death or sale of the property, whichever occurs first. Notwithstanding the foregoing restrictions and limitations, where if the aid, stipend, or benefit recipient is deceased, a claim may be filed against any property in his or her estate and the statute of limitations specified in s. 859.02 shall be exclusively applicable. The court may refuse to render judgment or allow the claim in any case where a parent, spouse, or child is dependent on the property for support, and the court in rendering judgment shall take into account the current family budget requirement as fixed by the U.S. department of labor for the community or as fixed by the authorities of the community in charge of public assistance. The records of aid, stipend, or benefits paid kept by the county, by the department, or by the Wisconsin works Works agency are prima facie evidence of the value of the aid, stipend, or benefits furnished paid. Liability under this section shall extend to any parent or stepparent whose family receives aid under s. 49.19, a stipend under s. 49.147 (3m) (g), or benefits under s. 49.148, 49.155, or
49.157 during the period that he or she is a member of the same household, but his
or her liability is limited to such period. This section does not apply to medical and
health assistance payments for which recovery is prohibited or restricted by federal
law or regulation.

**SECTION 1292.** 49.195 (3) of the statutes is amended to read:

49.195 (3) A county, tribal governing body, or Wisconsin works agency
or the department shall determine whether an overpayment has been made under
s. 49.19 49.147 (3m) (g), 49.148, 49.155 or, 49.157, or 49.19 and, if so, the amount of
the overpayment. The county, tribal governing body, or Wisconsin works agency or the department shall provide notice of the overpayment to the liable
person. The department shall give that person an opportunity for a review following
the procedure specified under s. 49.152, if the person received the overpayment
under s. 49.141 to 49.161, and for a hearing under ch. 227. Notwithstanding s. 49.96,
the department shall promptly recover all overpayments made under s. 49.19 49.147
(3m) (g), 49.148, 49.155 or, 49.157, or 49.19 that have not already been received under
s. 49.161 or 49.19 (17) and shall promulgate rules establishing policies and
procedures to administer this subsection. The rules shall include notification
procedures similar to those established for child support collections.

**SECTION 1293.** 49.22 (6) of the statutes is amended to read:

49.22 (6) The department shall establish, pursuant to federal and state laws,
rules, and regulations, a uniform system of fees for services provided under this
section to individuals not receiving aid under s. 46.261, 49.19, or 49.47; stipends
under s. 49.147 (3m) (g); benefits or wages under s. 49.148, 49.155, or 49.79; foster
care maintenance payments under 42 USC 670 to 679a; or kinship care payments
under s. 48.57 (3m) or long-term kinship care payments under s. 48.57 (3n). The
system of fees may take into account an individual's ability to pay. Any fee paid and
collected under this subsection may be retained by the county providing the service
except for the fee specified in 42 USC 653 (e) (2) for federal parent locator services.

SECTION 1294. 49.22 (7m) of the statutes is amended to read:

49.22 (7m) The department may contract with or employ a collection agency
or other person to enforce a support obligation of a parent who is delinquent in
making support payments and may contract with or employ an attorney to appear
in an action in state or federal court to enforce such an obligation. To pay for the
department's administrative costs of implementing this subsection, the department
may charge a fee to counties, retain up to 50% of any incentive payment made to this
state under 42 USC 658 for a collection under this subsection, and retain use federal
matching funds or funds retained by the department under s. 49.24 (2) (c), or use up
to 30% of this state's share of a collection made under this subsection on behalf of a
recipient of aid to families with dependent children or a recipient of kinship care
payments under s. 48.57 (3m) or long-term kinship care payments under s. 48.57
(3n).

SECTION 1295. 49.22 (7m) of the statutes, as affected by 2003 Wisconsin Act ....
(this act), is amended to read:

49.22 (7m) The department may contract with or employ a collection agency
or other person to enforce a support obligation of a parent who is delinquent in
making support payments and may contract with or employ retain an attorney to
appear in an action in state or federal court to enforce such an obligation. To pay for
the department's administrative costs of implementing this subsection, the
department may charge a fee to counties, use federal matching funds or funds
retained by the department under s. 49.24 (2) (c), or use up to 30% of this state's share
of a collection made under this subsection on behalf of a recipient of aid to families
with dependent children or a recipient of kinship care payments under s. 48.57 (3m)
or long-term kinship care payments under s. 48.57 (3n).

SECTION 1296. 49.24 (2) (b) of the statutes is amended to read:

49.24 (2) (b) The Except as provided in par. (c), the total of payments made to
counties under sub. (1) and in federal child support incentive payments may not
exceed $12,340,000 per year.

SECTION 1297. 49.24 (2) (c) of the statutes is created to read:

49.24 (2) (c) If federal child support incentive payments that are received for
a year exceed the maximum specified in par. (b), 50% of the amount that exceeds the
maximum specified in par. (b) shall be distributed to counties according to the
formula under par. (a), subject to the incentive payments limit specified in par. (a),
and the remainder shall be retained by the department to pay the costs of the
department’s activities under ss. 49.22 and 49.227 and costs related to receiving and
disbursing support and support-related payments.

SECTION 1298. 49.24 (3) of the statutes is amended to read:

49.24 (3) A county that receives any state child support incentive payment
under sub. (1) or any federal child support incentive payment under sub. (2) (a) or
(c) may use the funds only to pay costs under its child support program under s. 49.22.

SECTION 1299. 49.26 (1) (g) (intro.) of the statutes is amended to read:

49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin
works Works group that includes a participant under s. 49.147 (3), (3m), (4), or (5)
or who is a recipient of aid under s. 49.19 is subject to the school attendance
requirement under par. (ge) if all of the following apply:

SECTION 1300. 49.26 (1) (h) 1s. b. of the statutes is amended to read:
49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin works group that includes a participant under s. 49.147 (3), (3m), (4), or (5) and who fails to meet the school attendance requirement under par. (ge) is subject to a monthly sanction.

**Section 1301.** 49.26 (1) (hm) of the statutes is amended to read:

49.26 (1) (hm) The department may require consent to the release of school attendance records, under s. 118.125 (2) (e), as a condition of eligibility for benefits participation under s. 49.147 (3) to (5) or aid under s. 49.19.

**Section 1302.** 49.30 of the statutes is renumbered 49.785, and 49.785 (2), as renumbered, is amended to read:

49.785 (2) From the appropriations under s. 20.445 (3) (dz) and (md) appropriation under s. 20.435 (4) (bn), the department shall reimburse a county or applicable tribal governing body or organization for any amount that the county or applicable tribal governing body or organization is required to pay under sub. (1).

From the appropriations under s. 20.445 (3) (dz) and (md) appropriation under s. 20.435 (4) (bn), the department shall reimburse a county or applicable tribal governing body or organization for cemetery expenses or for funeral and burial expenses for persons described under sub. (1) that the county or applicable tribal governing body or organization is not required to pay under subs. (1) and (1m) only if the department approves the reimbursement due to unusual circumstances.

**Section 1303.** 49.32 (2) (d) of the statutes is repealed.

**Section 1304.** 49.32 (4) of the statutes is repealed.

**Section 1305.** 49.32 (9) (a) of the statutes is amended to read:

49.32 (9) (a) Each county department under s. 46.215, 46.22, or 46.23 administering aid to families with dependent children shall maintain a monthly
report at its office showing the names of all persons receiving aid to families with
dependent children together with the amount paid during the preceding month.
Each Wisconsin Works agency administering Wisconsin Works under
ss. 49.141 to 49.161 shall maintain a monthly report at its office showing the names
of all persons receiving stipends under s. 49.147 (3m) (g) or benefits or wages under
s. 49.148 together with the amount paid during the preceding month. Nothing in this
paragraph shall be construed to authorize or require the disclosure in the report of
any information (including names, amounts of aid, or otherwise) other information,
pertaining to adoptions, or aid furnished for the care of children in foster homes or
treatment foster homes under s. 46.261 or 49.19 (10).

SECTION 1306. 49.32 (10) (b) of the statutes is amended to read:

49.32 (10) (b) If a law enforcement officer believes, on reasonable grounds, that
a warrant has been issued and is outstanding for the arrest of a Wisconsin Works
participant, the law enforcement officer may request that a law enforcement
officer be notified when the participant appears to obtain his or her stipend or
benefits under the Wisconsin Works program. At the request of a law
enforcement officer under this paragraph, an employee of a Wisconsin Works agency who disburse stipends or benefits may notify a law enforcement officer when
the participant appears to obtain Wisconsin Works his or her stipend or benefits.

SECTION 1307. 49.32 (10m) (a) of the statutes is amended to read:

49.32 (10m) (a) A county department, relief agency under s. 49.01 (3m), or
Wisconsin Works agency shall, upon request, and after providing the notice
to the recipient required by this paragraph, release the current address of a recipient
of relief under s. 49.01 (3), aid to families with dependent children, a stipend under
s. 49.147 (3m) (g), or benefits or wages under s. 49.148 to a person, the person’s
attorney, or an employee or agent of that attorney, if the person is a party to a legal action or proceeding in which the recipient is a party or a witness, unless the person is a respondent in an action commenced by the recipient under s. 813.12, 813.122, 813.123, 813.125, or 813.127. If the person is a respondent in an action commenced by the recipient under s. 813.12, 813.122, 813.123, 813.125, or 813.127, the county department, relief agency, or Wisconsin Works agency may not release the current address of the recipient. No county department, relief agency, or Wisconsin Works agency may release an address under this paragraph until 21 days after the address has been requested. A person requesting an address under this paragraph shall be required to prove his or her identity and his or her participation as a party in a legal action or proceeding in which the recipient is a party or a witness by presenting a copy of the pleading or a copy of the subpoena for the witness. The person shall also be required to sign a statement setting forth his or her name, address, and the reasons for making the request and indicating that he or she understands the provisions of par. (b) with respect to the use of the information obtained. The statement shall be made on a form prescribed by the department and shall be sworn and notarized. Within 7 days after an address has been requested under this paragraph, the county department, relief agency, or Wisconsin Works agency shall mail to each recipient whose address has been requested a notification of that fact on a form prescribed by the department. The form shall also include the date on which the address was requested, the name and address of the person who requested the disclosure of the address, the reason that the address was requested, and a statement that the address will be released to the person who requested the address no sooner than 21 days after the date on which the request for the address was made. County departments, relief agencies, and Wisconsin Works
Works agencies shall keep a record of each request for an address under this paragraph.

SECTION 1308. 49.33 of the statutes is renumbered 49.78, and 49.78 (1) (b), (2), (4), (7), (8) (a) and (10), as renumbered, are amended to read:

49.78 (1) (b) “Income maintenance program” means the medical assistance Medical Assistance program under subch. IV of ch. 49, the badger care Badger Care health care program under s. 49.665, or the food stamp program under 7 USC 2011 to 2036, or the cemetery, funeral, and burial expenses program under s. 49.785.

(2) CONTRACTS. Annually, the department of health and family services shall contract with county departments under ss. 46.215, 46.22, and 46.23, and may contract with tribal governing bodies, to reimburse the county departments and tribal governing bodies for the reasonable cost of administering income maintenance programs.

(4) RULES; MERIT SYSTEM. The department of workforce development shall promulgate rules for the efficient administration of aid to families with dependent children in agreement with the requirement for federal aid, including the establishment and maintenance of personnel standards on a merit basis. The provisions of this section relating to personnel standards on a merit basis supersede any inconsistent provisions of any law relating to county personnel. This subsection shall not be construed to invalidate the provisions of s. 46.22 (1) (d).

(7) COUNTY PERSONNEL SYSTEMS. Pursuant to rules promulgated under sub. (4), the department of workforce development where requested by the county shall delegate to that county, without restriction because of enumeration, any or all of the department’s authority under sub. (4) to establish and maintain personnel standards including salary levels.
(8) (a) From the appropriation accounts under s. 20.435 (4) (bn) and (nn) and subject to par. (b), the department of health and family services shall reimburse each county and tribal governing body that contracts with the department under sub. (2) for reasonable costs of administering the income maintenance programs. The amount of each reimbursement paid under this paragraph shall be calculated using a formula based on workload within the limits of available state and federal funds under s. 20.435 (4) (bn) and (nn) by contract under s. 49.33 sub. (2). The amount of reimbursement calculated under this paragraph and par. (b) is in addition to any reimbursement provided to a county or tribal governing body for fraud and error reduction under s. 49.197 (1m) and (4).

(10) County certification. (a) Each county treasurer and director of a county department under s. 46.215, 46.22, or 46.23 and each tribal governing body shall certify monthly under oath to the department of health and family services in such manner as the department of health and family services prescribes the claim of the county for state reimbursement under sub. (8) (a). The department of health and family services shall review each claim of reimbursement and, if the department of health and family services approves the claim, the department of health and family services shall certify to the department of administration for reimbursement to the county for amounts due under sub. (8) (a) and payment claimed to be made to the counties monthly. The department of health and family services may make advance payments prior to the beginning of each month equal to one-twelfth of the contracted amount.

(b) To facilitate prompt reimbursement the certificate of the department of health and family services may be based on the certified statements of the county officers or tribal governing body executives filed under par. (a). Funds recovered
from audit adjustments from a prior fiscal year may be included in subsequent
certifications only to pay counties owed funds as a result of any audit adjustment.
By September 30 annually, the department of health and family services shall
submit a report to the appropriate standing committees under s. 13.172 (3) on funds
recovered and paid out during the previous calendar year as a result of audit
adjustments.

SECTION 1309. 49.36 (2) of the statutes is amended to read:

49.36 (2) The department may contract with any county, tribal governing body,
or Wisconsin works Works agency to administer a work experience and job training
program for parents who are not custodial parents and who fail to pay child support
or to meet their children’s needs for support as a result of unemployment or
underemployment. The program may provide the kinds of work experience and job
training services available from the program under s. 49.193, 1997 stats., or s. 49.147
(3), (3m), or (4). The program may also include job search and job orientation
activities. The department shall fund the program from the appropriation under s.
20.445 (3) (dz).

SECTION 1310. 49.45 (2) (a) 3. of the statutes is amended to read:

49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,
rehabilitative, and social services under ss. 49.46, 49.468, and 49.47 and rules and
policies adopted by the department and shall may, under a contract under s. 49.33
49.78 (2), designate delegate all, or any portion, of this function to the county
department under s. 46.215, 46.22, or 46.23 or a tribal governing body.

SECTION 1311. 49.45 (2) (a) 17. of the statutes is amended to read:

49.45 (2) (a) 17. Notify the governor, the joint committee on legislative
organization, the joint committee on finance and appropriate standing committees,
as determined by the presiding officer of each house, if the appropriation accounts
under s. 20.435 (4) (b) is, (gp), and (r) are insufficient to provide the state share of
medical assistance.

**SECTION 1312.** 49.45 (2) (a) 25. of the statutes is created to read:

49.45 (2) (a) 25. a. For the privilege of doing business in this state, there is
imposed on each health maintenance organization, as defined in s. 609.01 (2), an
annual assessment of 1% of the health maintenance organization’s gross revenues
for the immediately preceding calendar year. The assessment shall be deposited into
the Medical Assistance trust fund. The department shall determine the amount of
each health maintenance organization’s assessment, based on a statement that the
health maintenance organization shall file annually, by March 1, with the office of
the commissioner of insurance. Each health maintenance organization shall pay
one-fourth of the total assessment quarterly, by March 31, June 30, September 30,
and December 31 of each year.

b. Sections 77.59 (1) to (5), (6) (intro.), (a), and (c), and (7) to (10), 77.60 (1) to
(7), (9), and (10), 77.61 (9) and (12) to (14), and 77.62, as they apply to the taxes under
subch. III of ch. 77, apply to the assessment under this section, except that the
amount of any assessment collected under subd. 25. a. shall be deposited into the
Medical Assistance trust fund.

c. The department shall levy, enforce, and collect the assessment under this
subdivision and shall develop and distribute forms necessary for levying and
collection.

d. The department shall promulgate rules that establish procedures and
requirements for levying the assessment under this subdivision.
e. An affected health maintenance organization may contest an action by the department under this subdivision by submitting a written request for a hearing to the department within 3 days after the date of the department’s action.

f. Any order or determination made by the department under a hearing as specified in subd. 25. e. is subject to judicial review as prescribed under ch. 227.

SECTION 1313. 49.45 (3) (a) of the statutes is amended to read:

49.45 (3) (a) Reimbursement shall be made to each county department under ss. 46.215, 46.22, and 46.23 for the any administrative services performed in the medical assistance Medical Assistance program on the basis of s. 49.33 49.78 (8). For purposes of reimbursement under this paragraph, assessments completed under s. 46.27 (6) (a) are administrative services performed in the medical assistance Medical Assistance program.

SECTION 1314. 49.45 (3) (am) of the statutes is repealed.

SECTION 1315. 49.45 (5) (b) 1. (intro.) of the statutes is amended to read:

49.45 (5) (b) 1. (intro.) Upon receipt of a timely petition under par. (a) the department shall give the applicant or recipient reasonable notice and opportunity for a fair hearing. The department may make such additional investigation as it considers necessary. Notice of the hearing shall be given to the applicant or recipient and to the county clerk or, if a Wisconsin works agency, if a county department under s. 46.215, 46.22, or 46.23 is responsible for making the medical assistance determination, the Wisconsin works agency to the county clerk of the county. The county or the Wisconsin works agency may be represented at such hearing. The department shall render its decision as soon as possible after the hearing and shall send a certified copy of its decision to the applicant or recipient, to the county clerk, and to the any county officer or the Wisconsin works agency charged with
administration of the Medical Assistance program. The decision of the department shall have the same effect as an order of the county officer or the Wisconsin works agency charged with the administration of the Medical Assistance program. The decision shall be final, but may be revoked or modified as altered conditions may require. The department shall deny a petition for a hearing or shall refuse to grant relief if:

**SECTION 1316.** 49.45 (5) (b) 2. (intro.) of the statutes is amended to read:

49.45 (5) (b) 2. (intro.) If a recipient requests a hearing within the timely notice period specified in 42 CFR 431.231 (c), medical assistance coverage shall not be suspended, reduced, or discontinued until a decision is rendered after the hearing but medical assistance payments made pending the hearing decision may be recovered by the department if the contested decision or failure to act is upheld. The department shall promptly notify the county department or, if a Wisconsin works agency is responsible for making the medical assistance determination, the Wisconsin works agency department shall notify the county department of the county in which the recipient resides that the recipient has requested a hearing. Medical assistance coverage shall be suspended, reduced, or discontinued if:

**SECTION 1317.** 49.45 (5m) (title) of the statutes is amended to read:

49.45 (5m) (title) Supplemental funding for rural critical access hospitals.

**SECTION 1318.** 49.45 (5m) (am) of the statutes is amended to read:

49.45 (5m) (am) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), and (w), the department shall distribute not more than $2,256,000 in each fiscal year, to provide supplemental funds to rural hospitals that, as determined by the department, have
high utilization of inpatient services by patients whose care is provided from
governmental sources, and to provide supplemental funds to critical access
hospitals, except that the department may not distribute funds to a rural hospital
or to a critical access hospital to the extent that the distribution would exceed any
limitation under 42 USC 1396b (i) (3).

SECTION 1319. 49.45 (5m) (b) of the statutes is repealed.

SECTION 1320. 49.45 (6b) of the statutes is amended to read:

49.45 (6b) CENTERS FOR THE DEVELOPMENTALLY DISABLED. From the
appropriation under s. 20.435 (2) (gk), the department may reimburse the cost of
services provided by the centers for the developmentally disabled. Reimbursement
to the centers for the developmentally disabled shall be reduced following each
placement made under s. 46.275 that involves a relocation from a center for the
developmentally disabled, by $200 per day, beginning in fiscal year 2001–02, and by
$225 per day, beginning in fiscal year 2002–03, and by $325 per day, beginning in
fiscal year 2004–05.

SECTION 1321. 49.45 (6c) (a) 6m. of the statutes is created to read:

49.45 (6c) (a) 6m. “Intermediate facility” has the meaning given in s. 46.279
(1) (a).

SECTION 1322. 49.45 (6c) (b) of the statutes is amended to read:

49.45 (6c) (b) Preadmission screening. Except as provided in par. (e), beginning
on August 9, 1989, every individual who applies for admission to a facility or to an
institution for mental diseases shall be screened to determine if the individual has
developmental disability or mental illness. Beginning on August 9, 1989, the The
department or an entity to which the department has delegated authority shall
screen every individual who has been identified as having a developmental disability
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or mental illness to determine if the individual needs facility care. If the individual is determined to need facility care, the department or an entity to which the department has delegated authority shall also assess the individual to determine if he or she requires active treatment for developmental disability or active treatment for mental illness. If the department or entity determines that the individual requires active treatment for developmental disability, the department or entity shall determine whether the level of care required by the individual that is provided by a facility could be provided safely in an intermediate facility or under a plan that is developed under s. 46.279 (4).

Section 1323. 49.45 (6c) (c) (intro.) of the statutes is amended to read:

49.45 (6c) (c) Resident review. (intro.) Except as provided in par. (e), the department or an entity to which the department has delegated authority shall review every resident of a facility or institution for mental diseases who has a developmental disability or mental illness and who has experienced a significant change in his or her physical or mental condition to determine if any of the following applies:

Section 1324. 49.45 (6c) (c) 1. of the statutes is amended to read:

49.45 (6c) (c) 1. The resident needs facility care.

Section 1325. 49.45 (6c) (c) 2. of the statutes is amended to read:

49.45 (6c) (c) 2. The resident requires active treatment for developmental disability or active treatment for mental illness.

Section 1326. 49.45 (6c) (c) 3. of the statutes is created to read:

49.45 (6c) (c) 3. If the department or entity determines under subd. 1. that the resident needs facility care and under subd. 2. that the resident requires active treatment for developmental disability, whether the level of care required by the
1 resident that is provided by a facility could be provided safely in an intermediate
2 facility or under a plan that is developed under s. 46.279 (4).

**SECTION 1327.** 49.45 (6m) (a) 4. of the statutes is repealed.

**SECTION 1328.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this
subsection made under s. 20.435 (4) (b), (gp), (pa), (o), (r), (w), or (wm) shall, except
as provided in pars. (bg), (bm), and (br), be determined according to a prospective
payment system updated annually by the department. The payment system shall
implement standards that are necessary and proper for providing patient care and
that meet quality and safety standards established under subch. II of ch. 50 and ch.
150. The payment system shall reflect all of the following:

**SECTION 1329.** 49.45 (6m) (ag) 2. of the statutes is amended to read:

49.45 (6m) (ag) 2. Standards Except as provided in subd. 3r., standards
established by the department that shall be based upon allowable costs incurred by
facilities in the state as available from information submitted under par. (c) 3. and
compiled by the department.

**SECTION 1330.** 49.45 (6m) (ag) 3m. of the statutes is amended to read:

49.45 (6m) (ag) 3m. For each state fiscal year 1999–2000, rates that shall be
set by the department based on information from cost reports for the 1998 most
recently completed fiscal year of the facility and for state fiscal year 2000–01, rates
that shall be set by the department based on information from cost reports for the
1999 fiscal year of the facility.

**SECTION 1331.** 49.45 (6m) (ag) 3m. of the statutes, as affected by 2003
Wisconsin Act .... (this act), is amended to read:
49.45 (6m) (ag) 3m. For each state fiscal year, rates that shall be set by the department based on information from cost reports for costs specified under par. (am) 1. bm., 4., 5m., and 6. for the most recently completed fiscal year of the facility.

**SECTION 1332.** 49.45 (6m) (ag) 3r. of the statutes is created to read:

49.45 (6m) (ag) 3r. Flat-rate payment, as determined by the department, for costs specified under par. (am) 1. a. and 2.

**SECTION 1333.** 49.45 (6m) (ag) 3r. of the statutes, as created by 2003 Wisconsin Act .... (this act), is amended to read:

49.45 (6m) (ag) 3r. Flat-rate payment, as determined by the department, for all costs specified under par. (am) 1. a. and 2.

**SECTION 1334.** 49.45 (6m) (am) 1. a. of the statutes is amended to read:

49.45 (6m) (am) 1. a. Personal comfort supplies; medical supplies; over-the-counter drugs; and nonbillable services of a ward clerk, activity person, recreation person, social worker, volunteer coordinator, teacher for residents aged 22 and older, vocational counselor for residents aged 22 and older, religious person, therapy aide, therapy assistant, and counselor on resident living.

**SECTION 1335.** 49.45 (6m) (am) 1. b. of the statutes is repealed.

**SECTION 1336.** 49.45 (6m) (am) 1. bm. of the statutes is created to read:

49.45 (6m) (am) 1. bm. Nonbillable services of a registered nurse, licensed practical nurse and nurse’s assistant.

**SECTION 1337.** 49.45 (6m) (am) 1. d. of the statutes is repealed.

**SECTION 1338.** 49.45 (6m) (am) 1. e. of the statutes is repealed.

**SECTION 1339.** 49.45 (6m) (am) 3. (intro.) of the statutes is renumbered 49.45 (6m) (am) 2. c. and amended to read:
49.45 (6m) (am) 2. c. Allowable fuel and utility costs, including the facility expenses that the department determines are allowable for the provision of: electrical service, water and sewer services, and heat.

**SECTION 1340.** 49.45 (6m) (am) 3. a. of the statutes is repealed.

**SECTION 1341.** 49.45 (6m) (am) 3. b. of the statutes is repealed.

**SECTION 1342.** 49.45 (6m) (am) 3. c. of the statutes is repealed.

**SECTION 1343.** 49.45 (6m) (am) 4. of the statutes is amended to read:

49.45 (6m) (am) 4. Net property tax or allowable municipal service costs incurred paid by the owner of the facility for the facility.

**SECTION 1344.** 49.45 (6m) (am) 5. of the statutes is renumbered 49.45 (6m) (am) 2. d.

**SECTION 1345.** 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

49.45 (6m) (ar) 1. a. The department shall establish standards for payment of allowable direct care costs, for facilities that do not primarily serve the developmentally disabled, that take into account direct care costs for a sample of all of those facilities in this state and separate standards for payment of allowable direct care costs, for facilities that primarily serve the developmentally disabled, that take into account direct care costs for a sample of all of those facilities in this state. The standards shall be adjusted by the department for regional labor cost variations. For facilities in Douglas, Pierce, and St. Croix counties, the department shall perform the adjustment by use of the wage index that is used by the federal department of health and human services for hospital reimbursement under 42 USC 1395 to 1395ggg.

**SECTION 1346.** 49.45 (6m) (ar) 1. a. of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:
49.45 (6m) (ar) 1. a. The department shall establish standards for payment of allowable direct care costs under par. (am) 1. bm., for facilities that do not primarily serve the developmentally disabled, that take into account direct care costs for a sample of all of those facilities in this state and separate standards for payment of allowable direct care costs, for facilities that primarily serve the developmentally disabled, that take into account direct care costs for a sample of all of those facilities in this state. The standards shall be adjusted by the department for regional labor cost variations.

Section 1347. 49.45 (6m) (ar) 2. (intro.) and 2. a. of the statutes are consolidated, renumbered 49.45 (6m) (ar) 2. and amended to read:

49.45 (6m) (ar) 2. For support service costs: 2. a. The department shall establish one or more standards for the payment of support service costs that take into account support service costs for a sample of all facilities within the state.

Section 1348. 49.45 (6m) (ar) 2. b. of the statutes is repealed.

Section 1349. 49.45 (6m) (ar) 2. d. of the statutes is repealed.

Section 1350. 49.45 (6m) (ar) 3. of the statutes is repealed.

Section 1351. 49.45 (6m) (ar) 5. of the statutes is repealed.

Section 1352. 49.45 (6m) (av) 1. of the statutes is renumbered 49.45 (6m) (av) and amended to read:

49.45 (6m) (av) The department shall calculate a payment rate for a facility by applying the criteria set forth under pars. (ag) 1. to 5. and 7., (am) 1. to 5. bm., 4., 5m. and 6., and (ar) 1. to 5. , 4., and 6. to information from cost reports submitted by the facility, as affected by any adjustment for ancillary services and materials under par. (b).

Section 1353. 49.45 (6m) (av) 2. of the statutes is repealed.
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SECTION 1354. 49.45 (6m) (av) 3. of the statutes is repealed.

SECTION 1355. 49.45 (6m) (av) 4. of the statutes is repealed.

SECTION 1356. 49.45 (6m) (av) 5. of the statutes is repealed.

SECTION 1357. 49.45 (6m) (av) 5m. of the statutes is repealed.

SECTION 1358. 49.45 (6m) (av) 6. of the statutes is repealed.

SECTION 1359. 49.45 (6m) (bc) of the statutes is repealed.

SECTION 1360. 49.45 (6t) of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 49.45 (6t) (a), and 49.45 (6t) (a) (intro.), 1., 2. (intro.), 3. and 4., as renumbered, are amended to read:

49.45 (6t) (a) (intro.) From the appropriation under s. 20.435 (4) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a county department under s. 46.215, 46.22, 46.23, or 51.42 or by a local health department, as defined in s. 250.01 (4), for services provided under s. 49.46 (2) (a) 4. d. and (b) 6. f., fm., j., k., and L., and Lm., 9., and 15., for case management services under s. 49.46 (2) (b) 12. and for mental health day treatment services for minors provided under the authorization under 42 USC 1396d (r) (5), the department shall allocate moneys in each fiscal year to these county departments, or local health departments as determined by the department, and shall perform all of the following:

1. For the reduction of operating deficits incurred by the county departments or local health departments, estimate the availability of federal medicaid funds that may be matched to county, city, town, or village funds that are expended for costs in excess of reimbursement for services provided under s. 49.46 (2) (a) 4. d. and (b) 6. f., fm., j., k., and L., and Lm., 9., and 15., for case management services under s. 49.46
(2) (b) 12. and for mental health day treatment services for minors provided under the authorization under 42 USC 1396d (r) (5).

2. (intro.) Based on the amount estimated to be available under par. (a) subd. 1., develop a method, which need not be promulgated as rules under ch. 227, to distribute this allocation to the individual county departments under s. 46.215, 46.22, 46.23 or 51.42 or to local health departments that have incurred operating deficits that shall include all of the following:

3. Except as provided in par. (d) subd. 4., distribute the allocation under the distribution method that is developed.

4. If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 (4) (o) that result in a lesser allocation amount than that allocated under this subsection or disallows use of the allocation of federal medicaid funds under par. (c) subd. 3., reduce allocations under this subsection and distribute on a prorated basis, as determined by the department.

SECTION 1361. 49.45 (6t) (b) of the statutes is created to read:

49.45 (6t) (b) If 2003 Wisconsin Act .... (this act), section 9124 (8) (a) applies, this subsection does not apply.

SECTION 1362. 49.45 (6tt) of the statutes is created to read:

49.45 (6tt) DISTRIBUTIONS TO COUNTY DEPARTMENTS AND LOCAL HEALTH DEPARTMENTS. From the appropriation under s. 20.435 (4) (w), the department may in each fiscal year distribute moneys to county departments under s. 46.215, 46.22, 46.23, or 51.42 or to local health departments, as defined in s. 250.01 (4), in amounts that are equal to the moneys received by these county departments or local health departments in calendar year 2002 under s. 49.45 (6t), 2001 stats.

SECTION 1363. 49.45 (6u) (am) (intro.) of the statutes is amended to read:
49.45 (6u) (am) (intro.) Notwithstanding sub. (6m), in state fiscal years in which less than $1 in federal financial participation relating to facilities is received under 42 CFR 433.51, from the appropriations under s. 20.435 (4) (o), (w), and (wm), for reduction of operating deficits, as defined under the methodology used by the department in December, 2000, incurred by a facility that is established under s. 49.70 (1) or that is owned and operated by a city, village, or town, and as payment to care management organizations, the department may not distribute to these facilities and to care management organizations more than $37,100,000 in each fiscal year, as determined by the department. The total amount that a county certifies under this subsection may not exceed 100% of otherwise-unreimbursed care. In distributing funds under this subsection, the department shall perform all of the following:

**SECTION 1364.** 49.45 (6u) (bm) of the statutes is repealed.

**SECTION 1365.** 49.45 (6v) (b) of the statutes is amended to read:

49.45 (6v) (b) The department shall, each year, submit to the joint committee on finance a report for the previous fiscal year, except for the 1997–98 fiscal year, that provides information on the utilization of beds by recipients of medical assistance in facilities and a discussion and detailed projection of the likely balances, expenditures, encumbrances and carry over of currently appropriated amounts in the appropriation accounts under s. 20.435 (4) (b) and (gp), (o), and (r).

**SECTION 1366.** 49.45 (6x) (a) of the statutes is amended to read:

49.45 (6x) (a) Notwithstanding sub. (3) (e), from the appropriations accounts under s. 20.435 (4) (b), (gp), (o), (r), and (w), the department shall distribute not more than $4,748,000 in each fiscal year, to provide funds to an essential access city hospital, except that the department may not allocate funds to
an essential access city hospital to the extent that the allocation would exceed any
limitation under 42 USC 1396b (i) (3).

**SECTION 1367.** 49.45 (6y) (a) of the statutes is amended to read:

49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriations
appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), and (w), the department
shall distribute funding in each fiscal year to provide supplemental payment to
hospitals that enter into a contract under s. 49.02 (2) to provide health care services
funded by a relief block grant, as determined by the department, for hospital services
that are not in excess of the hospitals’ customary charges for the services, as limited
under 42 USC 1396b (i) (3). If no relief block grant is awarded under this chapter
or if the allocation of funds to such hospitals would exceed any limitation under 42
USC 1396b (i) (3), the department may distribute funds to hospitals that have not
entered into a contract under s. 49.02 (2).

**SECTION 1368.** 49.45 (6y) (am) of the statutes is amended to read:

49.45 (6y) (am) Notwithstanding sub. (3) (e), from the appropriations
appropriation accounts under s. 20.435 (4) (b), (h), (gp), (o), (r), and (w), the department
shall distribute funding in each fiscal year to provide supplemental payments to hospitals that enter into contracts under s. 49.02 (2) with a county
having a population of 500,000 or more to provide health care services funded by a
relief block grant, as determined by the department, for hospital services that are not
in excess of the hospitals’ customary charges for the services, as limited under 42
USC 1396b (i) (3).

**SECTION 1369.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriations
appropriation accounts under s. 20.435 (4) (b), (gp), (o), (r), and (w), the department
shall distribute funding in each fiscal year to supplement payment for services to hospitals that enter into a contract under s. 49.02 (2) to provide health care services funded by a relief block grant under this chapter, if the department determines that the hospitals serve a disproportionate number of low-income patients with special needs. If no medical relief block grant under this chapter is awarded or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department may distribute funds to hospitals that have not entered into a contract under s. 49.02 (2). The department may not distribute funds under this subsection to the extent that the distribution would do any of the following:

**SECTION 1370.** 49.45 (6zb) of the statutes is created to read:

49.45 (6zb) **Supplemental payments to health maintenance organizations.**

From the appropriation under s. 20.435 (4) (wr), the department shall distribute funding in each fiscal year to a health maintenance organization, as defined under s. 609.01 (2), to supplement payment to the health maintenance organization under this section. The funding shall be to assist in meeting increasing costs, more intense use of services by Medical Assistance recipients, and other reimbursement needs that the department identifies.

**SECTION 1371.** 49.45 (7) (a) of the statutes is amended to read:

49.45 (7) (a) A recipient who is a patient in a public medical institution or an accommodated person and has a monthly income exceeding the payment rates established under 42 USC 1382 (e) may retain $45 $30 unearned income or the amount of any pension paid under 38 USC 3203 (f) 38 USC 5503 (d), whichever is greater, per month for personal needs. Except as provided in s. 49.455 (4) (a), the recipient shall apply income in excess of $45 $30 or the amount of any pension paid under 38 USC 3203 (f) 38 USC 5503 (d), whichever is greater, less any amount
deducted under rules promulgated by the department, toward the cost of care in the
facility.

**SECTION 1372.** 49.45 (8) (b) of the statutes is amended to read:

49.45 (8) (b) Reimbursement under s. 20.435 (4) (b), (gp), (o), (r), and (w) for
home health services provided by a certified home health agency or independent
nurse shall be made at the home health agency's or nurse's usual and customary fee
per patient care visit, subject to a maximum allowable fee per patient care visit that
is established under par. (c).

**SECTION 1373.** 49.45 (18) (intro.) of the statutes is renumbered 49.45 (18) (ac)
and amended to read:

49.45 (18) (ac) Except as provided in pars. (a) (am) to (d), and subject to par.
(ag), any person eligible for medical assistance under s. 49.46, 49.468, or 49.47 shall
pay up to the maximum amounts allowable under 42 CFR 447.53 to 447.58 for
purchases of services provided under s. 49.46 (2). The service provider shall collect
the specified or allowable copayment, coinsurance, or deductible, unless the service
provider determines that the cost of collecting the copayment, coinsurance, or
deductible exceeds the amount to be collected. The department shall reduce
payments to each provider by the amount of the specified or allowable copayment,
coinsurance, or deductible. No provider may deny care or services because the
recipient is unable to share costs, but an inability to share costs specified in this
subsection does not relieve the recipient of liability for these costs. **Liability under
this subsection is limited by the following provisions:**

**SECTION 1374.** 49.45 (18) (a) of the statutes is renumbered 49.45 (18) (am).

**SECTION 1375.** 49.45 (18) (ag) of the statutes is created to read:
49.45 (18) (ag) Except as provided in pars. (am), (b), and (c), and subject to par. (d), a recipient specified in par. (ac) shall pay all of the following:

1. A copayment of $1 for each prescription of a drug that bears only a generic name, as defined in s. 450.12 (1) (b).

2. A copayment of $3 for each prescription of a drug that bears a brand name, as defined in s. 450.12 (1) (a).

SECTION 1376. 49.45 (18) (d) of the statutes is amended to read:

49.45 (18) (d) No person who designates a pharmacy or pharmacist as his or her sole provider of prescription drugs and who so uses that pharmacy or pharmacist is liable under this subsection for more than $5 per month for prescription drugs received.

SECTION 1377. 49.45 (19) (bm) of the statutes is amended to read:

49.45 (19) (bm) The department or the county department under s. 46.215 or 46.22 shall notify applicants of the requirements of this subsection at the time of application.

SECTION 1378. 49.45 (24m) (intro.) of the statutes is amended to read:

49.45 (24m) Home Health Care and Personal Care Pilot Program. (intro.) From the appropriations accounts under s. 20.435 (4) (gp), (o), (r), and (w), in order to test the feasibility of instituting a system of reimbursement for providers of home health care and personal care services for medical assistance recipients that is based on competitive bidding, the department shall:

SECTION 1379. 49.45 (25) (am) (intro.) of the statutes is amended to read:

49.45 (25) (am) (intro.) Except as provided under pars. (be) and (bg), and (bj) and sub. (24), case management services under s. 49.46 (2) (b) 9. and (bm) are reimbursable under medical assistance only if provided to a
medical assistance Medical Assistance beneficiary who receives case management services from or through a certified case management provider in a county, city, village, or town that elects, under par. (b), to make the services available and who meets at least one of the following conditions:

**SECTION 1380.** 49.45 (25) (bj) of the statutes is created to read:

49.45 (25) (bj) The department of corrections may elect to provide case management services under this subsection to persons who are under the supervision of that department under s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (4), who are Medical Assistance beneficiaries, and who meet one or more of the conditions specified in par. (am). The amount of the allowable charges for those services under the Medical Assistance program that is not provided by the federal government shall be paid from the appropriation account under s. 20.410 (3) (hm), (ho), or (hr).

**SECTION 1381.** 49.45 (25) (c) of the statutes is amended to read:

49.45 (25) (c) Except as provided in pars. (b), (be) and (bj), the department shall reimburse a provider of case management services under this subsection only for the amount of the allowable charges for those services under the Medical Assistance program that is provided by the federal government.

**SECTION 1382.** 49.45 (30e) of the statutes is repealed.

**SECTION 1383.** 49.45 (30m) of the statutes is renumbered 49.45 (30m) (a) (intro.) and amended to read:

49.45 (30m) (a) (intro.) A county shall provide the portion of the payment that is not provided by the federal government for all of the following services under s.
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51.06 (1m) (d) to individuals with developmental disability who are eligible for medical assistance that is not provided by the federal government.

SECTION 1384. 49.45 (30m) (a) 1. of the statutes is created to read:
49.45 (30m) (a) 1. Services under s. 51.06 (1m) (d).

SECTION 1385. 49.45 (30m) (a) 2. of the statutes is created to read:
49.45 (30m) (a) 2. Services in an intermediate care facility for the mentally retarded, as defined in s. 46.278 (1m) (am), other than a state center for the developmentally disabled.

SECTION 1386. 49.45 (30m) (a) 3. of the statutes is created to read:
49.45 (30m) (a) 3. Services for which payment is permitted under sub. (6c) (d) 2. that are provided in a nursing facility, as defined in s. 46.279 (1) (c).

SECTION 1387. 49.45 (30m) (b) of the statutes is created to read:
49.45 (30m) (b) No payment under this section may be made for services specified under par. (a) unless the individual who receives the services is protectively placed under s. 55.06 (9) (a) or is placed under an emergency placement under s. 55.06 (11) (a) or a temporary placement under s. 55.06 (11) (c).

SECTION 1388. 49.45 (30m) (c) of the statutes is created to read:
49.45 (30m) (c) No payment under this section may be made for services specified under par. (a) 2. or 3. that are provided to an individual who was placed in or admitted to an intermediate facility, as defined in s. 46.279 (1) (b), or nursing facility, as defined in s. 46.279 (1) (c), unless one of the following applies:
1. Any placement or admission that is made after March 31, 2004, complied with the requirements of s. 46.279.
2. For an individual who was protectively placed under ch. 55 at any time, any
annual review that is conducted under s. 55.06 (10) (a) 1. after March 31, 2004,
complies with the requirements of s. 55.06 (10) (a) 2.

SECTION 1389. 49.45 (36) of the statutes is amended to read:

49.45 (36) Homeless beneficiaries. - A department or a county department
under s. 46.215, 46.22, or 46.23 may not place the word “homeless” on the medical
assistance identification card of any person who is determined to be eligible for
medical assistance benefits and who is homeless.

SECTION 1390. 49.45 (39) (b) 1. of the statutes is amended to read:

49.45 (39) (b) 1. ‘Payment for school medical services.’ If a school district or a
cooperative educational service agency elects to provide school medical services and
meets all requirements under par. (c), the department shall reimburse the school
district or the cooperative educational service agency for 60% of the federal share of
allowable charges for the school medical services that it provides and, as specified
in subd. 2., for allowable administrative costs. If the Wisconsin Center for the Blind
and Visually Impaired or the Wisconsin Educational Services Program for the Deaf
and Hard of Hearing elects to provide school medical services and meets all
requirements under par. (c), the department shall reimburse the department of
public instruction for 60% of the federal share of allowable charges for the school
medical services that the Wisconsin Center for the Blind and Visually Impaired or
the Wisconsin Educational Services Program for the Deaf and Hard of Hearing
provides and, as specified in subd. 2., for allowable administrative costs. A school
district, cooperative educational service agency, the Wisconsin Center for the Blind
and Visually Impaired or the Wisconsin Educational Services Program for the Deaf
and Hard of Hearing may submit, and the department shall allow, claims for common
carrier transportation costs as a school medical service unless the department receives notice from the federal health care financing administration that, under a change in federal policy, the claims are not allowed. If the department receives the notice, a school district, cooperative educational service agency, the Wisconsin Center for the Blind and Visually Impaired, or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing may submit, and the department shall allow, unreimbursed claims for common carrier transportation costs incurred before the date of the change in federal policy. The department shall promulgate rules establishing a methodology for making reimbursements under this paragraph. All Except as provided in subd. 1m., all other expenses for the school medical services provided by a school district or a cooperative educational service agency shall be paid for by the school district or the cooperative educational service agency with funds received from state or local taxes. The school district, the Wisconsin Center for the Blind and Visually Impaired, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, or the cooperative educational service agency shall comply with all requirements of the federal department of health and human services for receiving federal financial participation.

SECTION 1391. 49.45 (39) (b) 1m. of the statutes is created to read:

   49.45 (39) (b) 1m. ‘Supplementary payment for school medical services.’ In addition to the reimbursement the department provides under subd. 1. to a school district or cooperative educational service agency for school medical services, the department may make supplementary payments from the appropriation accounts under s. 20.435 (4) (b) and (o). The total of the supplementary payments and allowable charges paid under subd. 1. may not exceed applicable limitations on payments under 42 USC 1396a (a) (30) (A).
Section 1392. 49.45 (39) (b) 2. of the statutes is amended to read:

49.45 (39) (b) 2. ‘Payment for school medical services administrative costs.’ The department shall reimburse a school district or a cooperative educational service agency specified under subd. 1, subds. 1. and 1m. and shall reimburse the department of public instruction on behalf of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing for 90% of the federal share of allowable administrative costs, using time studies, beginning in fiscal year 1999–2000. A school district or a cooperative educational service agency may submit, and the department of health and family services shall allow, claims for administrative costs incurred during the period that is up to 24 months before the date of the claim, if allowable under federal law.

Section 1393. 49.45 (49m) of the statutes is created to read:

49.45 (49m) Prescription drug cost controls; purchasing agreements. (a) In this section:

1. “Brand name” has the meaning given in s. 450.12 (1) (a).

2. “Generic name” has the meaning given in s. 450.12 (1) (b).

3. “Prescription drug” has the meaning given in s. 450.01 (20).

(b) The department may enter into a multi-state purchasing agreement with another state or a purchasing agreement with a purchaser of prescription drugs if the other state or purchaser agrees to participate in one or more of the activities specified in par. (c) 1. to 5.

(c) The department may design and implement a program to reduce the cost of prescription drugs and to maintain high quality in prescription drug therapies, which shall include all of the following:
1. A list of the prescription drugs that are included as a benefit under s. 49.46
(2) (b) 6. h. that identifies preferred choices within therapeutic classes and includes
prescription drugs that bear only generic names.

2. Establishing supplemental rebates under agreements with prescription
drug manufacturers for prescription drugs provided to recipients under Medical
Assistance and Badger Care and to eligible persons under s. 49.688 and, if it is
possible to implement the program without adversely affecting supplemental
rebates for Medical Assistance, Badger Care, and prescription drug assistance under
s. 49.688, to beneficiaries of participants under par. (b).

3. Utilization management and fraud and abuse controls.

4. Any other activity to reduce the cost of or expenditures for prescription drugs
and maintain high quality in prescription drug therapies.

(d) The department may enter into a contract with an entity to perform any of
the duties and exercise any of the powers of the department under this subsection.

SECTION 1394. 49.453 (1) (ak) of the statutes is created to read:

49.453 (1) (ak) “Consumer price index” has the meaning given in s. 49.455 (1)
(b).

SECTION 1395. 49.453 (5) of the statutes is amended to read:

49.453 (5) CARE OR PERSONAL SERVICES. For the purposes of sub. (2), whenever
a covered individual or his or her spouse, or another person acting on behalf of the
covered individual or his or her spouse, transfers assets to a relative as payment for
care or personal services that the relative provides to the covered individual, the
covered individual or his or her spouse transfers assets for less than fair market
value unless the care or services directly benefit the covered individual, the amount
of the payment does not exceed reasonable compensation for the care or services that
the relative performs and, if the amount of the payment in any year exceeds 10% of the community spouse resource allowance limit specified in s. 49.455 (6) (b) 1.

$12,000 increased by the same percentage increase as the percentage increase in the consumer price index between September 1988 and September of the year before the calendar year in which the care or services for which the payment was made were performed, the agreement to pay the relative is specified in a notarized written agreement that exists at the time that the relative performs the care or services.

**SECTION 1396.** 49.455 (5) (b) of the statutes is amended to read:

49.455 (5) (b) Notwithstanding ch. 766, in determining the resources of an institutionalized spouse at the time of application for medical assistance, the amount of resources considered to be available to the institutionalized spouse equals the value of all of the resources held by either or both spouses minus the greatest of the amounts determined under sub. (6) (b) 1m. to 4.

**SECTION 1397.** 49.455 (6) (a) of the statutes is amended to read:

49.455 (6) (a) Notwithstanding s. 49.453 (2), an institutionalized spouse may transfer an amount of resources equal to not exceeding the community spouse resource allowance determined under par. (b) to, or for the sole benefit of, the community spouse without becoming ineligible for medical assistance for the period of ineligibility under s. 49.453 (3) as a result of the transfer. The institutionalized spouse shall make the transfer as soon as practicable after the initial determination of eligibility for medical assistance, taking into account the amount of time that is necessary to obtain a court order under par. (c).

**SECTION 1398.** 49.455 (6) (b) (intro.) of the statutes is amended to read:
49.455 (6) (b) (intro.) The community spouse resource allowance equals the amount by which the amount of resources otherwise available to the community spouse is exceeded by the greatest of the following:

**SECTION 1399.** 49.455 (6) (b) 1. of the statutes is repealed.

**SECTION 1400.** 49.455 (6) (b) 2. of the statutes is repealed.

**SECTION 1401.** 49.46 (2) (a) 4. c. of the statutes is amended to read:

49.46 (2) (a) 4. c. Skilled nursing home services other than in an institution for mental diseases, except as limited under s. 49.45 (6c) and (30m) (b) and (c).

**SECTION 1402.** 49.46 (2) (b) 6. a. of the statutes is amended to read:

49.46 (2) (b) 6. a. Intermediate care facility services other than in an institution for mental diseases, except as limited under s. 49.45 (30m) (b) and (c).

**SECTION 1403.** 49.46 (2) (b) 6. Lm. of the statutes is repealed.

**SECTION 1404.** 49.472 (6) (a) of the statutes is amended to read:

49.472 (6) (a) Notwithstanding sub. (4) (a) 3., from the appropriation account under s. 20.435 (4) (b), (gp), (r), or (w), the department shall, on the part of an individual who is eligible for medical assistance under sub. (3), pay premiums for or purchase individual coverage offered by the individual’s employer if the department determines that paying the premiums for or purchasing the coverage will not be more costly than providing medical assistance.

**SECTION 1405.** 49.472 (6) (b) of the statutes is amended to read:

49.472 (6) (b) If federal financial participation is available, from the appropriation account under s. 20.435 (4) (b), (gp), (r), or (w), the department may pay medicare Part A and Part B premiums for individuals who are eligible for medicare and for medical assistance under sub. (3).

**SECTION 1406.** 49.473 (title) of the statutes is amended to read:
49.473 (title) **Medical assistance; women diagnosed with breast or cervical cancer or precancerous conditions.**

**SECTION 1407.** 49.473 (2) (c) of the statutes is amended to read:

49.473 (2) (c) The woman is not eligible for health care coverage that qualifies as creditable coverage in 42 USC 300gg (c), excluding the coverage specified in 42 USC 300gg (c) (1) (F).

**SECTION 1408.** 49.473 (2) (e) of the statutes is amended to read:

49.473 (2) (e) The woman requires treatment for breast or cervical cancer or for a precancerous condition of the breast or cervix.

**SECTION 1409.** 49.473 (5) of the statutes is amended to read:

49.473 (5) The department shall audit and pay, from the appropriation accounts under s. 20.435 (4) (b), (gp), and (o), and (r), allowable charges to a provider who is certified under s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman who meets the requirements under sub. (2) for all benefits and services specified under s. 49.46 (2).

**SECTION 1410.** 49.473 (6) (b) of the statutes is amended to read:

49.473 (6) (b) Inform the woman at the of time of the determination that she is required to apply to the department or a county department for medical assistance no later than the last day of the month following the month in which the qualified entity determines that the woman is eligible for medical assistance.

**SECTION 1411.** 49.496 (3) (f) of the statutes is amended to read:

49.496 (3) (f) The department may contract with or employ retain an attorney to probate estates to recover under this subsection the costs of care.

**SECTION 1412.** 49.496 (4) of the statutes is amended to read:
49.496 (4) ADMINISTRATION. The department may require a county department under s. 46.215, 46.22, or 46.23 or the governing body of a federally recognized American Indian tribe administering medical assistance to gather and provide the department with information needed to recover medical assistance under this section. The department shall pay to a county department or tribal governing body an amount equal to 5% of the recovery collected by the department relating to a beneficiary for whom the county department or tribal governing body made the last determination of medical assistance eligibility. A county department or tribal governing body may use funds received under this subsection only to pay costs incurred under this subsection and, if any amount remains, to pay for improvements to functions required under s. 49.33 49.78 (2). The department may withhold payments under this subsection for failure to comply with the department’s requirements under this subsection. The department shall treat payments made under this subsection as costs of administration of the medical assistance program.

SECTION 1413. 49.498 (16) (g) of the statutes is amended to read:

49.498 (16) (g) All forfeitures, penalty assessments, and interest, if any, shall be paid to the department within 10 days of receipt of notice of assessment or, if the forfeiture, penalty assessment, and interest, if any, are contested under par. (f), within 10 days of receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order under sub. (19) (b). The department shall remit all forfeitures paid to the state treasurer secretary of administration for deposit in the school fund. The department shall deposit all penalty assessments and interest in the appropriation under s. 20.435 (6) (g).
SECTION 1414. 49.665 (2) (title) of the statutes is amended to read:

WAIVER WAIVERS.

SECTION 1415. 49.665 (2) of the statutes is renumbered 49.665 (2) (a) and amended to read:

49.665 (2) (a) The department of health and family services shall request a waiver from the secretary of the federal department of health and human services to permit the department of health and family services to implement, beginning not later than July 1, 1998, or the effective date of the waiver, whichever is later, a health care program under this section. If a waiver that is consistent with all of the provisions of this section, excluding sub. (4) (a) 3m., is granted and in effect, the department of health and family services shall implement the program under this section. The department of health and family services may not implement the program under this section unless a waiver that is consistent with all of the provisions of this section, excluding sub. (4) (a) 3m., is granted and in effect.

SECTION 1416. 49.665 (2) (b) of the statutes is created to read:

49.665 (2) (b) If the department of health and family services determines that it needs a waiver to require the verification specified in sub. (4) (a) 3m., the department shall request a waiver from the secretary of the federal department of health and human services and may not implement the verification requirement under sub. (4) (a) 3m. unless the waiver is granted. If a waiver is required and is granted, the department of health and family services may implement the verification requirement under sub. (4) (a) 3m. as appropriate. If a waiver is not required, the department of health and family services may require the verification specified in sub. (4) (a) 3m. for eligibility determinations and annual review eligibility determinations made by the department, beginning on January 1, 2004.
SECTION 1417. 49.665 (4) (am) 3m. of the statutes is created to read:

49.665 (4) (am) 3m. Each member of the child’s household who is employed provides verification from his or her employer, in the manner specified by the department, of his or her earnings, of whether the employer provides health care coverage for which the child is eligible, and of the amount that the employer pays, if any, towards the cost of the health care coverage, excluding any deductibles or copayments required under the coverage.

SECTION 1418. 49.665 (4m) of the statutes is created to read:

49.665 (4m) SUPPLEMENTAL PAYMENTS TO HEALTH MAINTENANCE ORGANIZATIONS.

From the appropriation under s. 20.435 (4) (wr), the department shall distribute funding in each fiscal year to a health maintenance organization, as defined under s. 609.01 (2), to supplement payment to the health maintenance organization under this section. The funding shall be to assist in meeting increasing costs, more intense use of services by Badger Care recipients, and other reimbursement needs that the department identifies.

SECTION 1419. 49.665 (5) (a) of the statutes is renumbered 49.665 (5) (ag) and amended to read:

49.665 (5) (ag) Except as provided in pars. (am), (b), and (bm), a family, or child who does not reside with his or her parent, who receives health care coverage under this section shall pay a percentage of the cost of that coverage in accordance with a schedule established by the department by rule. If the schedule established by the department requires a family, or child who does not reside with his or her parent, to contribute more than 3% of the family’s or child’s income towards the cost of the health care coverage provided under this section, the department shall submit the schedule to the joint committee on finance for review and approval of the schedule.
If the cochairpersons of the joint committee on finance do not notify the department within 14 working days after the date of the department’s submittal of the schedule that the committee has scheduled a meeting to review the schedule, the department may implement the schedule. If, within 14 days after the date of the department’s submittal of the schedule, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the schedule, the department may not require a family, or child who does not reside with his or her parent, to contribute more than 3% of the family’s or child’s income unless the joint committee on finance approves the schedule. The joint committee on finance may not approve and the department may not implement a schedule that requires a family or child to contribute, including the amounts required under par. (am), more than 3.5% of the family’s or child’s income towards the cost of the health care coverage provided under this section.

**SECTION 1420.** 49.665 (5) (ac) of the statutes is created to read:

49.665 (5) (ac) In this subsection, “cost” means total cost-sharing charges, including premiums, copayments, coinsurance, deductibles, enrollment fees, and any other cost-sharing charges.

**SECTION 1421.** 49.665 (5) (ag) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

49.665 (5) (ag) Except as provided in pars. (am), (b), and (bm), a family, or child who does not reside with his or her parent, who receives health care coverage under this section shall pay a percentage of the cost of that coverage in accordance with a schedule established by the department by rule. If the schedule established by the department requires a family, or child who does not reside with his or her parent, to contribute more than 3% of the family’s or child’s income towards the cost of the
health care coverage provided under this section, the department shall submit the
schedule to the joint committee on finance for review and approval of the schedule.
If the cochairpersons of the joint committee on finance do not notify the department
within 14 working days after the date of the department’s submittal of the schedule
that the committee has scheduled a meeting to review the schedule, the department
may implement the schedule. If, within 14 days after the date of the department’s
submittal of the schedule, the cochairpersons of the committee notify the department
that the committee has scheduled a meeting to review the schedule, the department
may not require a family, or child who does not reside with his or her parent, to
contribute more than 3% of the family’s or child’s income unless the joint committee
on finance approves the schedule. The joint committee on finance may not approve
and the The department may not establish or implement a schedule that requires a
family or child to contribute, including the amounts required under par. (am), more
than 3.5% 5% of the family’s or child’s income towards the cost of the health care
coverage provided under this section.

SECTION 1422. 49.665 (5) (am) of the statutes is created to read:

49.665 (5) (am) Except as provided in pars. (b) and (bm), a child or family
member who receives health care coverage under this section shall pay the following
cost-sharing amounts:

1. A copayment of $1 for each prescription of a drug that bears only a generic
name, as defined in s. 450.12 (1) (b).

2. A copayment of $3 for each prescription of a drug that bears a brand name,
as defined in s. 450.12 (1) (a).

SECTION 1423. 49.68 (3) (a) of the statutes is amended to read:
49.68 (3) (a) Any permanent resident of this state who suffers from chronic renal disease may be accepted into the dialysis treatment phase of the renal disease control program if the resident meets standards set by rule under sub. (2) and s. 49.687.

**SECTION 1424.** 49.68 (3) (d) 1. of the statutes is amended to read:

49.68 (3) (d) 1. No aid may be granted under this subsection unless the recipient has no other form of aid available from the federal medicare program or, from private health, accident, sickness, medical, and hospital insurance coverage, or from other health care coverage specified by rule under s. 49.687 (1m) (b). If insufficient aid is available from other sources and if the recipient has paid an amount equal to the annual medicare deductible amount specified in subd. 2., the state shall pay the difference in cost to a qualified recipient. If at any time sufficient federal or private insurance aid or other health care coverage becomes available during the treatment period, state aid under this subsection shall be terminated or appropriately reduced. Any patient who is eligible for the federal medicare program shall register and pay the premium for medicare medical insurance coverage where permitted, and shall pay an amount equal to the annual medicare deductible amounts required under 42 USC 1395e and 1395L (b), prior to becoming eligible for state aid under this subsection.

**SECTION 1425.** 49.68 (3) (d) 3. of the statutes is created to read:

49.68 (3) (d) 3. No payment shall be made under this subsection for any portion of medical treatment costs or other expenses that are payable under any state, federal, or other health care coverage program, including a health care coverage program specified by rule under s. 49.687 (1m) (b), or under any grant, contract, or other contractual arrangement.
SECTION 1426. 49.68 (3) (e) of the statutes is amended to read:

49.68 (3) (e) State aids for services provided under this section shall be equal to may not exceed the allowable charges under the federal medicare program. In no case shall state rates for individual service elements exceed the federally defined allowable costs. The rate of charges for services not covered by public and private insurance shall not exceed the reasonable charges as established by medicare fee determination procedures. A person that provides to a patient a service for which aid is provided under this section shall accept the amount paid under this section for the service as payment in full and may not bill the patient for any amount by which the charge for the service exceeds the amount paid for the service under this section.

The state may not pay for the cost of travel, lodging, or meals for persons who must travel to receive inpatient and outpatient dialysis treatment for kidney disease. This paragraph shall not apply to donor related costs as defined in par. (b).

SECTION 1427. 49.682 (6) of the statutes is amended to read:

49.682 (6) The department may contract with or employ retain an attorney to probate estates to recover under this section the costs of care.

SECTION 1428. 49.683 (1) of the statutes is amended to read:

49.683 (1) The Subject to s. 49.687 (1m), the department may provide financial assistance for costs of medical care of persons over the age of 18 years with the diagnosis of cystic fibrosis who meet financial requirements established by the department by rule under s. 49.687 (1).

SECTION 1429. 49.683 (3) of the statutes is created to read:

49.683 (3) No payment shall be made under this section for any portion of medical care costs that are payable under any state, federal, or other health care
coverage program, including a health care coverage program specified by rule under s. 49.687 (1m) (b), or under any grant, contract, or other contractual arrangement.

**SECTION 1430.** 49.685 (6) (b) of the statutes is amended to read:

49.685 (6) (b) Reimbursement shall not be made under this section for any blood products or supplies which are not purchased from or provided by a comprehensive hemophilia treatment center, or a source approved by the treatment center. Reimbursement shall not be made under this section for any portion of the costs of blood products or supplies which are payable under any other state or federal program, or other health care coverage program, including a health care coverage program specified by rule under s. 49.687 (1m) (b), or under any grant, contract and any other contractual arrangement.

**SECTION 1431.** 49.687 (title) of the statutes is amended to read:

49.687 (title) Disease aids; patient requirements; rebate agreements; cost containment.

**SECTION 1432.** 49.687 (1) of the statutes is amended to read:

49.687 (1) The department shall promulgate rules that require a person who is eligible for benefits under s. 49.68, 49.683, or 49.685 and whose current estimated total family income exceeds specified limits for the current year is at or above 200% of the poverty line to obligate or expend specified portions of the income for medical care for treatment of kidney disease, cystic fibrosis, or hemophilia before receiving benefits under s. 49.68, 49.683, or 49.685. The rules shall require a person to pay 1% of his or her total family income for the cost of medical treatment covered under s. 49.68, 49.683, or 49.685 if that income is from 300% to 325% of the federal poverty line, 1.75% if that income is more than 325% but not more than 350% of the federal poverty line, 2.5% if that income is more than 350% but not more than 375% of the
federal poverty line, 3.25% if that income is more than 375% but not more than 400% of the federal poverty line, and 4.25% if that income is more than 400% of the federal poverty line.

SECTION 1433. 49.687 (1m) of the statutes is created to read:

49.687 (1m) (a) A person is not eligible to receive benefits under s. 49.68, 49.683, or 49.685 unless, before the person applies for benefits under s. 49.68, 49.683, or 49.685, the person first applies for benefits under all other health care coverage programs specified by the department by rule under par. (b) for which the person reasonably may be eligible.

(b) The department shall promulgate rules that specify other health care coverage programs for which a person must apply before applying for benefits under s. 49.68, 49.683, or 49.685. The programs specified by rule must include the Medical Assistance program under subch. IV, the Badger Care health care program under s. 49.665, and the prescription drug assistance for elderly persons program under s. 49.688.

(c) Using the procedure under s. 227.24, the department may promulgate rules under par. (b) for the period before the effective date of any permanent rules promulgated under par. (b), but not to exceed the period authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department is not required to provide evidence that promulgating a rule under par. (b) as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to make a finding of emergency for promulgating a rule under par. (b) as an emergency rule.

SECTION 1434. 49.687 (2) of the statutes is amended to read:
SEC 1434. 49.687 (2) The department shall develop and implement a sliding scale of patient liability for kidney disease aid under s. 49.68, cystic fibrosis aid under s. 49.683, and hemophilia treatment under s. 49.685, based on the patient's ability to pay for treatment. The department shall continuously review the sliding scale for patient liability and revise it as needed to ensure that the needs for treatment of patients with lower incomes receive priority within the availability of funds. Amounts budgeted under s. 20.435 (4) (e) and (je), the department shall revise the sliding scale for patient liability by January 1, 1994, and shall, every 3 years thereafter by January 1, review and, if necessary, revise the sliding scale are sufficient to cover treatment costs.

SEC 1435. 49.687 (2m) of the statutes is created to read:

49.687 (2m) If a pharmacy directly bills the department or an entity with which the department contracts for a drug supplied to a person receiving benefits under s. 49.68, 49.683, or 49.685 and prescribed for treatment covered under s. 49.68, 49.683, or 49.685, the person shall pay a $5 copayment amount for each such generic drug and a $15 copayment amount for each such brand name drug.

SEC 1436. 49.687 (3) (a) of the statutes is amended to read:

49.687 (3) (a) That, as a condition of coverage for prescription drugs of a manufacturer under s. 49.68, 49.683, or 49.685, the manufacturer shall make rebate payments for each prescription drug of the manufacturer that is prescribed for and purchased by persons who meet eligibility criteria under s. 49.68, 49.683, or 49.685, to the state treasurer secretary of administration to be credited to the appropriation under s. 20.435 (4) (je), each calendar quarter or according to a schedule established by the department.

SEC 1437. 49.687 (4) of the statutes is created to read:
49.687 (4) The department may adopt managed care methods of cost
containment for the programs under ss. 49.68, 49.683, and 49.685.

**SECTION 1438.** 49.688 (1) (e) of the statutes is amended to read:

49.688 (1) (e) “Program payment rate” means the rate of payment made for the
identical drug specified under s. 49.46 (2) (b) 6. h., plus 5%, plus a dispensing fee that
is equal to the dispensing fee permitted to be charged for prescription drugs for which
coverage is provided under s. 49.46 (2) (b) 6. h.

**SECTION 1439.** 49.688 (3) (a) of the statutes is renumbered 49.688 (3) (a) (intro.)
and amended to read:

49.688 (3) (a) (intro.) For each 12–month benefit period, a program enrollment
fee of $20, that is based on the percentage that a person’s annual household income,
as determined by the department, is of the federal poverty line for a family the size
of the person’s eligible family, as follows:

**SECTION 1440.** 49.688 (3) (a) 1. of the statutes is created to read:

49.688 (3) (a) 1. Two hundred percent or less, $25.

**SECTION 1441.** 49.688 (3) (a) 2. of the statutes is created to read:

49.688 (3) (a) 2. More than 200%, $30.

**SECTION 1442.** 49.688 (3) (b) 1. of the statutes is renumbered 49.688 (3) (b) 1.
(intro.) and amended to read:

49.688 (3) (b) 1. (intro.) For each 12–month benefit period, for a person specified
in sub. (2) (a), a deductible for prescription drugs of $500, except that a person whose
that is based on the percentage that a person’s annual household income, as
determined by the department, is 160% or less of the federal poverty line for a family
the size of the person’s eligible family pays no deductible., as follows:

**SECTION 1443.** 49.688 (3) (b) 1. a. of the statutes is created to read:
49.688 (3) (b) 1. a. One hundred sixty percent or less, no deductible.

SECTION 1444. 49.688 (3) (b) 1. b. of the statutes is created to read:

49.688 (3) (b) 1. b. More than 160%, but not more than 200%, $500.

SECTION 1445. 49.688 (3) (b) 1. c. of the statutes is created to read:

49.688 (3) (b) 1. c. More than 200%, but not more than 240%, $750.

SECTION 1446. 49.688 (3) (b) 2. b. of the statutes is amended to read:

49.688 (3) (b) 2. b. Five Eight hundred fifty dollars.

SECTION 1447. 49.688 (6) (a) of the statutes is amended to read:

49.688 (6) (a) That, except as provided in sub. (7) (b), the manufacturer shall make rebate payments for each prescription drug of the manufacturer that is prescribed for and purchased by persons who meet criteria under sub. (2) (a) and persons who meet criteria under sub. (2) (b) and have paid the deductible under sub. (3) (b) 2. a., to the state treasurer secretary of administration to be credited to the appropriation account under s. 20.435 (4) (j), each calendar quarter or according to a schedule established by the department.

SECTION 1448. 49.78 (5) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

49.78 (5) PERSONNEL EXAMINATIONS. Statewide examinations to ascertain qualifications of applicants in any county department administering aid to families with dependent children shall be given by the administrator of the division of merit recruitment and selection in the department of employment relations administration. The department of employment relations administration shall be reimbursed for actual expenditures incurred in the performance of its functions under this section from the appropriations available to the department of health and family services for administrative expenditures.
SECTION 1449. 49.785 (1) (intro.) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

49.785 (1) (intro.) Except as provided in sub. (1m), if any recipient of a stipend under s. 49.147 (3m) (g) or of benefits or wages under s. 49.148, 49.46, or 49.77, or under 42 USC 1381 to 1385 in effect on May 8, 1980, dies and the estate of the deceased recipient is insufficient to pay the funeral, burial, and cemetery expenses of the deceased recipient, the county or applicable tribal governing body or organization responsible for burial of the recipient shall pay, to the person designated by the county department under s. 46.215, 46.22, or 46.23 or applicable tribal governing body or organization responsible for the burial of the recipient, all of the following:

SECTION 1450. 49.79 (4) of the statutes is amended to read:

49.79 (4) DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS. The department shall withhold the value of food stamp losses for which a county or federally recognized American Indian tribe is liable under sub. (3) from the payment to the county or tribe under income maintenance contracts under s. 49.33 49.78 and reimburse the federal government from the funds withheld.

SECTION 1451. 49.85 (title) of the statutes is amended to read:

49.85 (title) Certification of certain public assistance overpayments and delinquent loan repayments.

SECTION 1452. 49.85 (1) of the statutes is amended to read:

49.85 (1) DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American Indian tribe or band determines that the department of health and family services may recover an amount under s. 49.497 or that the department of workforce
development may recover an amount under s. 49.161, 49.195 (3), or 49.793, or collect
an amount under s. 49.147 (6) (cm), the county department or governing body shall
notify the affected department of the determination. If a Wisconsin works agency
determines that the department of workforce development may recover an amount
under s. 49.161 or 49.195 (3), or collect an amount under s. 49.147 (6) (cm), the
Wisconsin works agency shall notify the department of workforce development of the
determination.

SECTION 1453. 49.85 (1) of the statutes, as affected by 2003 Wisconsin Act ....
(this act), is amended to read:

49.85 (1) DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under
s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American
Indian tribe or band determines that the department of health and family services
may recover an amount under s. 49.497 or that the department of workforce
development may recover an amount under s. 49.161, 49.195 (3), or 49.793, or collect
an amount under s. 49.147 (6) (cm) 49.1471 (3m), the county department or
governing body shall notify the affected department of the determination. If a
Wisconsin works agency determines that the department of workforce development
may recover an amount under s. 49.161 or 49.195 (3), or collect an amount under s.
49.147 (6) (cm) 49.1471 (3m), the Wisconsin works agency shall notify the
department of workforce development of the determination.

SECTION 1454. 49.85 (2) (b) of the statutes is amended to read:

49.85 (2) (b) At least annually, the department of workforce development shall
certify to the department of revenue the amounts that, based on the notifications
received under sub. (1) and on other information received by the department of
workforce development, the department of workforce development has determined
that it may recover under ss. 49.161, 49.195 (3), and 49.793, and collect under s.
49.147 (6) (cm), except that the department of workforce development may not certify
an amount under this subsection unless it has met the notice requirements under
sub. (3) and unless its determination has either not been appealed or is no longer
under appeal.

**SECTION 1454.** 49.85 (2) (b) of the statutes, as affected by 2003 Wisconsin Act
.... (this act), is amended to read:

49.85 (2) (b) At least annually, the department of workforce development shall
certify to the department of revenue the amounts that, based on the notifications
received under sub. (1) and on other information received by the department of
workforce development, the department of workforce development has determined
that it may recover under ss. 49.161, 49.195 (3), and 49.793, and collect under s.
49.147 (6) (cm) 49.1471 (3m), except that the department of workforce development
may not certify an amount under this subsection unless it has met the notice
requirements under sub. (3) and unless its determination has either not been
appealed or is no longer under appeal.

**SECTION 1456.** 49.85 (3) (b) (intro.) of the statutes is amended to read:

49.85 (3) (b) (intro.) At least 30 days before certification of an amount, the
department of workforce development shall send a notice to the last−known address
of the person from whom that department intends to recover or collect the amount.
The notice shall do all of the following:

**SECTION 1457.** 49.85 (3) (b) 1. of the statutes is amended to read:

49.85 (3) (b) 1. Inform the person that the department of workforce
development intends to certify to the department of revenue an amount that the
department of workforce development has determined to be due under s. 49.161,
49.195 (3), or 49.793, or to be delinquent under a repayment agreement for a loan
under s. 49.147 (6), for setoff from any state tax refund that may be due the person.

**SECTION 1458.** 49.85 (3) (b) 1. of the statutes, as affected by 2003 Wisconsin Act
and .... (this act), is amended to read:

49.85 (3) (b) 1. Inform the person that the department of workforce
development intends to certify to the department of revenue an amount that the
department of workforce development has determined to be due under s. 49.161,
49.195 (3), or 49.793, or to be delinquent under a repayment agreement for a loan
under s. 49.147 (6) 49.1471, for setoff from any state tax refund that may be due the
person.

**SECTION 1459.** 49.85 (5) of the statutes is amended to read:

49.85 (5) **EFFECT OF CERTIFICATION.** Receipt of a certification by the department
of revenue shall constitute a lien, equal to the amount certified, on any state tax
refunds or credits owed to the obligor. The lien shall be foreclosed by the department
of revenue as a setoff under s. 71.93. Certification of an amount under this section
does not prohibit the department of health and family services or the department of
workforce development from attempting to recover or collect the amount through
other legal means. The department of health and family services or the department
of workforce development shall promptly notify the department of revenue upon
recovery or collection of any amount previously certified under this section.

**SECTION 1460.** 49.854 (11) (b) of the statutes is amended to read:

49.854 (11) (b) **The department.** The department may assess a collection fee
to recover the department’s costs incurred in levying against property under this
section. The department shall determine its costs to be paid in all cases of levy. The
obligor is liable to the department for the amount of the collection fee authorized
under this paragraph. Fees collected under this paragraph shall be credited to the
appropriation account under s. 20.445 (1) (L) (3) (ja).

**SECTION 1461.** 49.95 (4m) (a) of the statutes is amended to read:

49.95 (4m) (a) Without legal authority, sends or brings a person to a county, tribal
governing body, or municipality or advises a person to go to a county, tribal
governing body, or municipality for the purpose of obtaining relief funded by a relief
block grant, wages, a stipend, or benefits under the Wisconsin works program
under ss. 49.141 to 49.161, aid to families with dependent children under s. 49.19,
medical assistance under subch. IV, or food stamps under 7 USC 2011 to 2029.

**SECTION 1462.** 49.95 (11) of the statutes is amended to read:

49.95 (11) “Public assistance” as used in this section includes relief funded by
a relief block grant and wages, a stipend, or benefits under ss. 49.141 to 49.161.

**SECTION 1463.** 49.96 of the statutes is amended to read:

**49.96 Assistance grants exempt from levy.** All grants of aid to families with
dependent children, stipends paid under s. 49.147 (3m) (g), payments made under
ss. s. 48.57 (3m) or (3n), 49.148 (1) (b) 1. or (c) or (1m) or 49.149 to 49.159, 49.155, or
49.157, payments made for social services, cash benefits paid by counties under s.
59.53 (21), and benefits under s. 49.77 or federal Title XVI, are exempt from every
tax, and from execution, garnishment, attachment, and every other process and shall
be inalienable.

**SECTION 1464.** 50.01 (1g) (c) of the statutes is amended to read:

50.01 (1g) (c) A shelter facility as defined under s. 16.352 560.9808 (1) (d).

**SECTION 1465.** 50.03 (5g) (c) 1. (intro.) of the statutes is amended to read:

50.03 (5g) (c) 1. (intro.) A daily forfeiture amount per violation of not less than
$10 nor more than $1,000 $10,000 for each violation, with each day of violation
constituting a separate offense. All of the following apply to a forfeiture under this subdivision:

**SECTION 1466.** 50.03 (5g) (c) 1. c. of the statutes is amended to read:

50.03 (5g) (c) 1. c. All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under par. (f), within 10 days after receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order under s. 50.03 (11). The department shall remit all forfeitures paid under this subdivision to the state treasurer secretary of administration for deposit in the school fund.

**SECTION 1467.** 50.034 (8) (d) of the statutes is amended to read:

50.034 (8) (d) All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under par. (c), within 10 days after receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order. The department shall remit all forfeitures paid to the state treasurer secretary of administration for deposit in the school fund.

**SECTION 1468.** 50.035 (11) (d) of the statutes is amended to read:

50.035 (11) (d) All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under par. (c), within 10 days after receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order. The department shall remit all forfeitures paid to the state treasurer secretary of administration for deposit in the school fund.

**SECTION 1469.** 50.04 (5) (bm) of the statutes is created to read:
50.04 (5) (bm) **Forfeiture surcharge.** Whenever the department imposes a forfeiture under par. (a) for a violation of this subchapter or a rule promulgated under this subchapter, the department shall in addition levy a forfeiture surcharge in an amount of 6% of the forfeiture imposed. If multiple violations are involved, the forfeiture surcharge under this paragraph shall be based on the total forfeitures for all violations.

**SECTION 1470.** 50.04 (5) (c) of the statutes is amended to read:

50.04 (5) (c) **Assessment of forfeitures; powers and duties of department and forfeiture surcharges.** The department may directly assess forfeitures provided for under par. (a) and forfeiture surcharges provided for under par. (bm). If the department determines that a forfeiture and forfeiture surcharge should be assessed for a particular violation or for failure to correct it, it shall send a notice of assessment to the nursing home. The notice shall specify the amount of the forfeiture and forfeiture surcharge assessed, the violation, the statute or rule alleged to have been violated, and shall inform the licensee of the right to hearing under par. (e).

**SECTION 1471.** 50.04 (5) (f) of the statutes is amended to read:

50.04 (5) (f) **Forfeitures and forfeiture surcharges paid within 10 days.** All forfeitures and forfeiture surcharges shall be paid to the department within 10 days of receipt of notice of assessment or, if the forfeiture is contested under par. (e), within 10 days of receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order under s. 50.03 (11). The department shall remit all forfeitures paid to the state treasurer for deposit in the school fund and shall credit all forfeiture surcharges to the appropriation account under s. 20.435 (6) (jm).
SECTION 1472. 50.04 (5) (f) of the statutes, as affected by 2003 Wisconsin Act 
.... (this act), is amended to read:

50.04 (5) (f) Forfeitures and forfeiture surcharges paid within 10 days. All 
forfeitures and forfeiture surcharges shall be paid to the department within 10 days 
of receipt of notice of assessment or, if the forfeiture is contested under par. (e), within 
10 days of receipt of the final decision after exhaustion of administrative review, 
unless the final decision is appealed and the order is stayed by court order under s. 
50.03 (11). The department shall remit all forfeitures paid to the state treasurer 
secretary of administration for deposit in the school fund and shall credit all 
forfeiture surcharges to the appropriation account under s. 20.435 (6) (jm).

SECTION 1473. 50.07 (3) (a) of the statutes is repealed.

SECTION 1474. 50.07 (3) (b) of the statutes is amended to read:

50.07 (3) (b) Any employee of an employer not described in par. (a) who is 
discharged or otherwise retaliated or discriminated against in violation of sub. (1) 
(e) or (em) may file a complaint with the department of workforce development under 
s. 106.54 (5).

SECTION 1475. 50.07 (3) (c) of the statutes is amended to read:

50.07 (3) (c) Any person not described in par. (a) or (b) who is retaliated or 
discriminated against in violation of sub. (1) (e) or (em) may commence an action in 
circuit court for damages incurred as a result of the violation.

SECTION 1476. 50.14 (title) of the statutes is amended to read:

50.14 (title) Assessments on occupied, licensed beds.

SECTION 1477. 50.14 (1) (a) of the statutes is amended to read:

50.14 (1) (a) Notwithstanding s. 50.01 (1m), “facility” means a nursing home 
or an intermediate care facility for the mentally retarded, which is not state-owned
or state-operated, federally owned or federally operated or that is not located outside the state.

**SECTION 1478.** 50.14 (2) of the statutes is renumbered 50.14 (2) (intro.) and amended to read:

50.14 (2) (intro.) For the privilege of doing business in this state, there is imposed on all occupied, licensed beds of a facility, except occupied, licensed beds for which payment is made under 42 USC 1395 to 1395ccc, an assessment that shall be deposited in the general fund and that is $100 per calendar month per occupied, licensed bed of an intermediate care facility for the mentally retarded may not exceed $435 in fiscal year 2003-04 and may not exceed $445 in fiscal year 2004-05 and is $32 an assessment that may not exceed $116 per calendar month per occupied, licensed bed of a nursing home. The assessment shall be on the average number of occupied, licensed beds of a facility for the calendar month previous to the month of assessment, based on an average daily midnight census computed and reported by the facility and verified by the department. Charged bed-hold days for any resident of a facility shall be included as one full day in the average daily midnight census deposited in the general fund, except that in fiscal year 2003-04, amounts in excess of $14,300,000, in fiscal year 2004-05, amounts in excess of $13,800,000, and, beginning July 1, 2005, in each fiscal year, amounts in excess of 45% of the money received from the assessment shall be deposited in the Medical Assistance trust fund. In determining the number of occupied, licensed beds, if all of the following apply:

(a) If the amount of the beds is other than a whole number, the fractional part of the amount shall be disregarded unless it equals 50% or more of a whole number, in which case the amount shall be increased to the next whole number.
SECTION 1479. 50.14 (2) (b) of the statutes is created to read:

50.14 (2) (b) The number of licensed beds of a nursing home includes any number of beds that have been delicensed under s. 49.45 (6m) (ap) 1. but not deducted from the nursing home’s licensed bed capacity under s. 49.45 (6m) (ap) 4. a.

SECTION 1480. 50.14 (3) of the statutes is amended to read:

50.14 (3) By the end of each month, each facility shall submit to the department the facility’s occupied licensed bed count and the amount due under sub. (2) for each occupied licensed bed of the facility for the month preceding the month during which the bed count and payment are being submitted. The department shall verify the bed count number of beds licensed and, if necessary, make adjustments to the payment, notify the facility of changes in the bed count or payment owing and send the facility an invoice for the additional amount due or send the facility a refund.

SECTION 1481. 50.14 (4) of the statutes is amended to read:

50.14 (4) Sections 77.59 (1) to (5), (6) (intro.), (a) and (c) and (7) to (10), 77.60 (1) to (7), (9) and (10), 77.61 (9) and (12) to (14) and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the assessment under this section, except that the amount of any assessment collected under s. 77.59 (7) in excess of $14,300,000 in fiscal year 2003–04, in excess of $13,800,000 in fiscal year 2004–05, and, beginning July 1, 2005, in excess of 45% in each fiscal year shall be deposited in the Medical Assistance trust fund.

SECTION 1482. 50.38 (4) of the statutes is amended to read:

50.38 (4) All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under sub. (3), within 10 days after receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order. The
department shall remit all forfeitures paid to the state treasurer secretary of administration for deposit in the school fund.

SECTION 1483. 50.55 (1) (e) of the statutes is amended to read:

50.55 (1) (e) All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under par. (d), within 10 days after receipt of the final decision, unless the final decision is appealed and the decision is in favor of the appellant. The department shall remit all forfeitures paid to the state treasurer secretary of administration for deposit in the school fund.

SECTION 1484. 50.90 (2) of the statutes is amended to read:

50.90 (2) “Organization” means a public agency, as defined in s. 46.93 (1m) (e) 46.856 (1) (b), a nonprofit corporation, a for-profit stock corporation, a cooperative, a partnership, a limited liability company or a sole proprietorship.

SECTION 1485. 50.98 (5) of the statutes is amended to read:

50.98 (5) All forfeitures shall be paid to the department within 10 days after receipt of notice of assessment or, if the forfeiture is contested under sub. (4), within 10 days after receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order under the same terms and conditions as found in s. 50.03 (11). The department shall remit all forfeitures paid to the state treasurer secretary of administration for deposit in the school fund.

SECTION 1486. 51.06 (1m) (d) of the statutes is amended to read:

51.06 (1m) (d) Services for up to 50 individuals with developmental disability who are also diagnosed as mentally ill or who exhibit extremely aggressive and challenging behaviors.
SECTION 1487. 51.06 (3) of the statutes is renumbered 51.06 (3) (a) and amended to read:

51.06 (3) (a) Individuals Subject to par. (b), individuals under the age of 22 years shall be placed only at the central center for the developmentally disabled unless the department authorizes the placement of the individual at the northern or southern center for the developmentally disabled.

SECTION 1488. 51.06 (3) (b) of the statutes is created to read:

51.06 (3) (b) An individual may be placed at a center for the developmentally disabled for services under sub. (1m) (d) only after all of the following conditions are met:

1. The department determines that a licensed bed and other necessary resources are available to provide services to the individual.

2. The department and the county of residence of the individual agree on a maximum discharge date for the individual.

SECTION 1489. 51.06 (5) of the statutes is created to read:

51.06 (5) SURCHARGE FOR EXTENDED INTENSIVE TREATMENT. The department may impose on a county a progressive surcharge for services under sub. (1m) (d) that an individual receives after the maximum discharge date for the individual that was agreed upon under sub. (3) (b) 2. The surcharge is 10% of the amount paid for the individual’s services under s. 49.45 during any part of the first 6-month period following the maximum discharge date, and increases by 10% of the amount paid for the individual’s services under s. 49.45 during any part of each 6-month period thereafter. Any revenues received under this subsection shall be credited to the appropriation account under s. 20.435 (2) (gL).

SECTION 1490. 51.06 (6) of the statutes is created to read:
51.06 (6) Sale of assets or real property at Northern Center for the Developmentally Disabled. The department may maintain the Northern Center for the Developmentally Disabled for the purpose specified in sub. (1), but may sell assets or real property of the Northern Center for the Developmentally Disabled. If there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold under this subsection, the department shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under s. 18.09 to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If the property was purchased with federal financial assistance, the department shall pay to the federal government any of the net proceeds required by federal law. If there is no such debt outstanding and there are no moneys payable to the federal government, or if the net proceeds exceed the amount required to be deposited or paid under this subsection, the department shall deposit the net proceeds or remaining net proceeds in the budget stabilization fund.

SECTION 1491. 51.20 (13) (c) (intro.) of the statutes is amended to read:

51.20 (13) (c) (intro.) If disposition is made under par. (a) 3., all of the following apply:

SECTION 1492. 51.20 (13) (c) 1. of the statutes is amended to read:

51.20 (13) (c) 1. The court shall designate the facility or service which that is to receive the subject individual into the mental health system, except that, if the subject individual is under the age of 22 years and the facility is a center for the developmentally disabled, the court shall designate only the central center for the developmentally disabled unless the department authorizes designation of the northern or southern center for the developmentally disabled; subject to s. 51.06 (3).
SECTION 1493. 51.20 (13) (c) 2. of the statutes is amended to read:

51.20 (13) (c) 2. The county department under s. 51.42 or 51.437 shall arrange for treatment in the least restrictive manner consistent with the requirements of the subject individual in accordance with a court order designating the maximum level of inpatient facility, if any, which that may be used for treatment, except that, if the subject individual is under the age of 22 years and the facility is a center for the developmentally disabled, designation shall be only to the central center for the developmentally disabled unless the department authorizes the placement of the individual at the northern or southern center for the developmentally disabled; and subject to s. 51.06 (3).

SECTION 1494. 51.20 (13) (f) of the statutes is amended to read:

51.20 (13) (f) The county department under s. 51.42 or 51.437 which that receives an individual who is committed by a court under par. (a) 3. is authorized to place such the individual in an approved treatment facility, subject to any limitations which are specified by the court under par. (c) 2. The county department shall place the subject individual in the treatment program and treatment facility which that is least restrictive of the individual’s personal liberty, consistent with the treatment requirements of the individual. The county department shall have has ongoing responsibility to review the individual's needs, in accordance with sub. (17), and to transfer the person to the least restrictive program consistent with the individual’s needs. If the subject individual is under the age of 22 years and if the facility appropriate for placement or transfer is a center for the developmentally disabled, placement or transfer of the individual shall be made only to the central center for the developmentally disabled unless the department authorizes the placement or
transfer to the northern or southern center for the developmentally disabled
Placement or transfer under this paragraph is subject to s. 51.06 (3).

SECTION 1495. 51.35 (1) (a) of the statutes is amended to read:

51.35 (1) (a) The department or the county department under s. 51.42 or 51.437 may transfer any patient or resident who is committed to it, or who is admitted to a treatment facility under its supervision or operating under an agreement with it, between treatment facilities or from a treatment facility into the community if such transfer is consistent with reasonable medical and clinical judgment and, consistent with s. 51.22 (5), the transfer shall be made, and, if the transfer results in a greater restriction of personal freedom for the patient or resident, in accordance with par. (e). Terms and conditions which will benefit the patient or resident may be imposed as part of a transfer to a less restrictive treatment alternative. A patient or resident who is committed to the department or a county department under s. 51.42 or 51.437 may be required to take medications and receive treatment, subject to the right of the patient or resident to refuse medication and treatment under s. 51.61 (1) (g) and (h), through a community support program as a term or condition of a transfer. The patient or resident shall be informed at the time of transfer of the consequences of violating such terms and conditions of the transfer, including possible transfer back to a facility which imposes a greater restriction on personal freedom of the patient or resident.

SECTION 1496. 51.35 (1) (b) of the statutes is amended to read:

51.35 (1) (b) In addition to the requirements in par. (a), the department or the county department under s. 51.42 or 51.437 may transfer any patient or resident who is committed to it, or who is admitted to a treatment facility under its supervision or operating under an agreement with it, between treatment facilities or from a treatment facility into the community if such transfer is consistent with reasonable medical and clinical judgment and, consistent with s. 51.22 (5), the transfer shall be made, and, if the transfer results in a greater restriction of personal freedom for the patient or resident, in accordance with par. (e). Terms and conditions which will benefit the patient or resident may be imposed as part of a transfer to a less restrictive treatment alternative. A patient or resident who is committed to the department or a county department under s. 51.42 or 51.437 may be required to take medications and receive treatment, subject to the right of the patient or resident to refuse medication and treatment under s. 51.61 (1) (g) and (h), through a community support program as a term or condition of a transfer. The patient or resident shall be informed at the time of transfer of the consequences of violating such terms and conditions of the transfer, including possible transfer back to a facility which imposes a greater restriction on personal freedom of the patient or resident.
appropriate county department under ss. 51.42 and 51.437 to which the patient was committed or through which the patient was admitted to the facility, if any mental health institute.

**SECTION 1497.** 51.35 (1) (bm) of the statutes is amended to read:

51.35 (1) (bm) **Notwithstanding par. (b), transfer** transfer of a patient under the age of 22 years resident by a county department to a center for the developmentally disabled may be made only to the central center for the developmentally disabled unless the department authorizes the transfer of the patient to the northern or southern center for the developmentally disabled is subject to s. 51.06 (3).

**SECTION 1498.** 51.35 (1) (c) of the statutes is amended to read:

51.35 (1) (c) The department may, without approval of and without first notifying the county department under s. 51.42 or 51.437 and notwithstanding par. (d), transfer any patient from a treatment facility to another treatment facility when the condition of the patient requires such transfer without delay. The department shall notify the appropriate county department under s. 51.42 or 51.437 that the transfer has been made. Any patient so transferred may be returned to the treatment facility from which the transfer was made, upon orders from the department or the county department under s. 51.42 or 51.437, when such return would be in the best interests of the patient.

**SECTION 1499.** 51.35 (1) (d) of the statutes is amended to read:

51.35 (1) (d) 1. **The Subject to subds. 2. and 3., the department may, without approval of the appropriate county department under s. 51.42 or 51.437, transfer any patient from a state treatment facility or other inpatient facility to an approved treatment facility which is less restrictive of the patient’s personal freedom.**
2. Transfer under this subsection paragraph may be made only if the transfer is consistent with the requirements of par. (a), and the department finds that the appropriate county department under s. 51.42 or 51.437 is unable to locate an approved treatment facility in the community, or that such the county department has acted in an arbitrary or capricious manner to prevent the transfer of the patient out of the state treatment facility or other inpatient facility contrary to medical and clinical judgment.

3. A transfer of a patient, made under authority of this subsection paragraph, may be made only after the department has notified the county department under s. 51.42 or 51.437 of its intent to transfer a patient in accordance with this subsection. The patient’s guardian, if any, or if a minor his or her parent or person in the place of a parent shall be notified.

**SECTION 1500.** 51.35 (5) of the statutes is amended to read:

51.35 (5) Residential living arrangements; transitionary services. The department and any person, director or board authorized to discharge or transfer patients under this section shall ensure that a proper residential living arrangement and the necessary transitionary services are available and provided for the patient being discharged or transferred. Under this subsection, a proper residential living arrangement may not include a shelter facility, as defined under s. 16.352 560.9808 (1) (d), unless the discharge or transfer to the shelter facility is made on an emergency basis for a period not to exceed 10 days.

**SECTION 1501.** 51.421 (3) (e) of the statutes is amended to read:

51.421 (3) (e) Distribute, from From the appropriation appropriation accounts under s. 20.435 (4) (w) and (o) and (7) (bL), distribute moneys in each fiscal year for community support program services.
SECTION 1502. 51.437 (4rm) (c) 2m. of the statutes is amended to read:

51.437 (4rm) (c) 2m. Bill the county department of developmental disabilities services for services that are not provided by the federal government and that are provided under s. 51.06 (1m) (d) to individuals who are eligible for medical assistance that are not provided by the federal government, plus any applicable surcharge under s. 51.06 (5), using the procedure established under subd. 1.

SECTION 1503. 51.67 (intro.) of the statutes is amended to read:

51.67 Alternate procedure; protective services. (intro.) If, after a hearing under s. 51.13 (4) or 51.20, the court finds that commitment under this chapter is not warranted and that the subject individual is a fit subject for guardianship and protective placement or services, the court may, without further notice, appoint a temporary guardian for the subject individual and order temporary protective placement or services under ch. 55 for a period not to exceed 30 days. If the court orders temporary protective placement for an individual under the age of 22 years in a center for the developmentally disabled, this placement may be made only at the central center for the developmentally disabled unless the department authorizes the placement or transfer to the northern or southern center for the developmentally disabled is subject to s. 51.06 (3). Any interested party may then file a petition for permanent guardianship or protective placement or services, including medication, under ch. 55. If the individual is in a treatment facility, the individual may remain in the facility during the period of temporary protective placement if no other appropriate facility is available. The court may order psychotropic medication as a temporary protective service under this section if it finds that there is probable cause to believe the individual is not competent to refuse psychotropic medication and that the medication ordered will have therapeutic
value and will not unreasonably impair the ability of the individual to prepare for and participate in subsequent legal proceedings. An individual is not competent to refuse psychotropic medication if, because of chronic mental illness, and after the advantages and disadvantages of and alternatives to accepting the particular psychotropic medication have been explained to the individual, one of the following is true:

**SECTION 1504.** 55.001 of the statutes is amended to read:

55.001 Declaration of policy. The legislature recognizes that many citizens of the state, because of the infirmities of aging, chronic mental illness, mental retardation, other developmental disabilities or like incapacities incurred at any age, are in need of protective services. These services should, to the maximum degree of feasibility under programs, services and resources that the county board of supervisors is reasonably able to provide within the limits of available state and federal funds and of county funds required to be appropriated to match state funds, allow the individual the same rights as other citizens, and at the same time protect the individual from exploitation, abuse and degrading treatment. This chapter is designed to establish those services and assure their availability to all persons when in need of them, and to place the least possible restriction on personal liberty and exercise of constitutional rights consistent with due process and protection from abuse, exploitation and neglect.

**SECTION 1505.** 55.01 (4g) of the statutes is created to read:

55.01 (4g) “Intermediate facility” has the meaning given in s. 46.279 (1) (a).

**SECTION 1506.** 55.01 (4t) of the statutes is created to read:

55.01 (4t) “Nursing facility” has the meaning given in s. 46.279 (1) (b).

**SECTION 1507.** 55.045 of the statutes is amended to read:
55.045 Funding. The appropriate county department designated under s. 55.02 shall within the limits of available state and federal funds and of county funds required to be appropriated to match state funds, provide for the reasonable program needs of persons who are protectively placed or who receive protective services under this chapter, including reasonable expenses for the evaluations required by s. 55.06 (8). Payment and collections for protective placement or protective services provided in public facilities specified in s. 46.10 shall be governed in accordance with s. 46.10. The department may require that a person who is protectively placed or receives protective services under this chapter provide reimbursement for services or care and custody received, based on the ability of the person to pay for such costs.

Section 1508. 55.06 (5) of the statutes is amended to read:

55.06 (5) Notice of a petition for placement shall be served upon the person sought to be placed, by personal service, at least 10 days prior to the time set for a hearing. Upon service of the notice, the person sought to be protected shall be informed of the complete contents of the notice. The person serving the notice shall return a certificate to the circuit judge verifying that the petition has been delivered and notice given. The notice shall include the names of all petitioners. Notice shall also be served personally or by mail upon the person’s guardian ad litem, legal counsel, guardian, if any, presumptive adult heirs, and upon other persons who have physical custody of the person to be protected whose names and addresses are known to the petitioner or can with reasonable diligence be ascertained, to any governmental or private body or group from whom the person to be protected is known to be receiving aid, and to such other persons or entities as the court may require. Notice shall also be served personally or by mail upon the department at
least 10 days prior to the time set for hearing if the person sought to be protected may be placed in a center for the developmentally disabled. The department shall be allowed to submit oral or written testimony regarding such a placement at the hearing. Notice shall also be served personally or by mail, at least 10 days before the time set for hearing, upon the county department that is participating in the program under s. 46.278 of the county of residence of the person sought to be protected, if the person has a developmental disability and may be placed in an intermediate facility or a nursing facility. The incompetent or proposed incompetent is presumed able to attend the hearing unless, after a personal interview, the guardian ad litem certifies to the court that the person is unable to attend.

SECTION 1509. 55.06 (8) (intro.) of the statutes is amended to read:

55.06 (8) (intro.) Before ordering the protective placement of any individual, the court shall direct a comprehensive evaluation of the person in need of placement, if such an evaluation has not already been made. The court may utilize available multidisciplinary resources in the community in determining the need for placement. The board designated under s. 55.02 or an agency designated by it shall cooperate with the court in securing available resources. Where applicable by reason of the particular disability, the appropriate board designated under s. 55.02 or an agency designated by it having responsibility for the place of legal residence of the individual as provided in s. 49.001 (6) shall make a recommendation for placement. If the court is considering placement of the individual in a center for the developmentally disabled, the court shall request a statement or testimony from the department regarding whether the placement is appropriate for the person’s needs and whether it is consistent with the purpose of the center under s. 51.06 (1) unless testimony was provided by the department under sub. (5). If the individual has a
developmental disability and the court is considering placement of the individual in
an intermediate facility or a nursing facility, the court shall request a statement or
testimony from the county department of the individual’s county of residence that is
participating in the program under s. 46.278 as to whether the individual’s needs
could be met in a noninstitutional setting. A copy of the comprehensive evaluation
shall be provided to the guardian, the guardian ad litem, and to the individual or
attorney at least 96 hours in advance of the hearing to determine placement. The
court or the cooperating agency obtaining the evaluation shall request appropriate
information which shall include at least the following:

SECTION 1509. 55.06 (9) (a) of the statutes is amended to read:

55.06 (9) (a) The court may order protective services under s. 55.05 (2) (d) as
an alternative to placement. When ordering placement, the court, on the basis of the
evaluation and other relevant evidence, shall order the appropriate board specified
under s. 55.02 or an agency designated by it to protectively place the individual.
Placement by the appropriate board or designated agency is subject to s. 46.279 and
shall be made in the least restrictive environment consistent with the needs of the
person to be placed and with the placement resources of the appropriate board
specified under s. 55.02. Factors to be considered in making protective placement
shall include the needs of the person to be protected for health, social, or
rehabilitative services; the level of supervision needed; the reasonableness of the
placement given the cost and the actual benefits in the level of functioning to be
realized by the individual; the limits of available state and federal funds and of
county funds required to be appropriated to match state funds; and the
reasonableness of the placement given the number or projected number of
individuals who will need protective placement and given the limited funds
available. The Except as provided in s. 49.45 (30m), the county may not be required to provide funding, in addition to its funds that are required to be appropriated to match state funds, in order to protectively place an individual. Placement under this section does not replace commitment of a person in need of acute psychiatric treatment under s. 51.20 or 51.45 (13). Placement Subject to s. 46.279, placement may be made to such facilities as nursing homes, public medical institutions, centers for the developmentally disabled under the requirements of s. 51.06 (3), foster care services and other home placements, or to other appropriate facilities but may not be made to units for the acutely mentally ill. If the appropriate board or designated agency proposes to place an individual who has a developmental disability in an intermediate facility or a nursing facility under an order under this paragraph, the county department shall develop a plan under s. 46.279 (4) and furnish the plan to the board or agency and to the individual’s guardian. The board or agency shall place the individual in a noninstitutional community setting in accord with the plan unless the court finds that to do so is not in the individual’s best interests. If the individual or the individual’s guardian rejects the plan, the court shall take the rejection into consideration in determining whether or not the placement is in the individual’s best interests. The prohibition of placements in units for the acutely mentally ill does not prevent placement by a court for short-term diagnostic procedures under par. (d). Placement in a locked unit shall require a specific finding of the court as to the need for such action. A placement facility may transfer a patient from a locked unit to a less restrictive environment without court approval.

Section 1511. 55.06 (9) (b) of the statutes is amended to read:

55.06 (9) (b) Transfer may be made between placement units or from a placement unit to a medical facility other than those specified in pars. (c) to (e) by a
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A guardian or placement facility without approval by a court. When transfer is made by a placement facility, 24 hours’ prior written notice of the transfer shall be provided to the guardian, when feasible. If it is not feasible to notify the guardian in advance, written notice shall be provided immediately upon transfer, and notice shall also be provided to the court and to the board designated under s. 55.02 or an agency designated by it within a reasonable time, not to exceed 48 hours from the time of the transfer. Upon petition to a court by a guardian, ward, or attorney, or other interested person specifying objections to a transfer, or if the person is transferred to an intermediate facility or to a nursing facility, the court shall order a hearing, within 96 hours after filing of the petition or, if the person is transferred to an intermediate facility or to a nursing facility, within 96 hours after the transfer, to determine whether there is probable cause to believe that the transfer is consistent with the requirements specified in par. (a) and is necessary for the best interests of the ward. The court shall notify the ward, guardian, and petitioner of the time and place of the hearing, and a guardian ad litem shall be appointed to represent the ward. If the person is an adult who is indigent, the county of legal settlement shall be liable for guardian ad litem fees. If the person is a child, the person’s parents or the county of legal settlement shall be liable for guardian ad litem fees as provided in s. 48.235 (8). The petitioner, ward, and guardian shall have the right to attend, and to present and cross-examine witnesses.

Section 1512. 55.06 (9) (c) of the statutes is amended to read:

55.06 (9) (c) Transfer Subject to s. 46.279, transfer to a more restrictive placement, including a locked unit, may be made with notice to the guardian, the court and appropriate board designated under s. 55.02 or an agency designated by it in the manner prescribed in par. (b). Upon petition by a guardian, ward or attorney,
or other interested person specifying objections to the transfer or if the person has a developmental disability and is transferred to an intermediate facility or a nursing facility, the court shall order a hearing as provided in par. (b).

SECTION 1513. 55.06 (10) (a) of the statutes is renumbered 55.06 (10) (a) 1.

SECTION 1514. 55.06 (10) (a) 2. of the statutes is created to read:

55.06 (10) (a) 2. If the person has a developmental disability and is placed in an intermediate facility or a nursing facility, the agency that is responsible for the protective placement shall notify in writing the county department of the county of residence of the person that is participating in the program under s. 46.278, at least 90 days before the review. The county department so notified shall develop a plan under s. 46.279 (4) and furnish the plan to the court that ordered the placement and to the person's guardian. The court shall order that the person be transferred to the noninstitutional community setting in accordance with the plan unless the court finds that to do so is not in the person's best interests. If the person or the person's guardian rejects the transfer, the court shall take the rejection into consideration in determining whether or not the transfer is in the person's best interests.

SECTION 1515. 55.06 (11) (c) of the statutes is amended to read:

55.06 (11) (c) Upon a finding of probable cause under par. (b), the court may order temporary placement up to 30 days pending the hearing for a permanent placement, or the court may order such protective services as may be required. If an individual who has a developmental disability is ordered, under this paragraph, to be temporarily placed in an intermediate facility or in a nursing facility, and if at the hearing for permanent placement the court orders that the individual be protectively placed, the court may, before permanent placement, extend the temporary placement order for not more than 60 days if necessary for the county department that is
participating in the program under s. 46.278 to develop the plan required under s. 46.279 (4).

SECTION 1516. 59.22 (2) (c) 2. of the statutes is amended to read:

59.22 (2) (c) 2. No action of the board may be contrary to or in derogation of the rules of the department of health and family services workforce development under s. 49.78 (4) to (7) relating to employees administering old-age assistance, aid to families with dependent children, aid to the blind or aid to totally and permanently disabled persons or ss. 63.01 to 63.17.

SECTION 1517. 59.25 (3) (f) 1. of the statutes is amended to read:

59.25 (3) (f) 1. Except as provided in subd. 2., transmit to the state treasurer, secretary of administration at the time required by law to pay the state taxes a particular statement, certified by the county treasurer’s personal signature affixed or attached thereto, of all moneys received by him or her during the preceding year and which are payable to the state treasurer, secretary of administration for licenses, fines, penalties, or on any other account, and at the same time pay to the state treasurer, secretary of administration the amount thereof after deducting the legal fees.

SECTION 1518. 59.25 (3) (f) 2. of the statutes is amended to read:

59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755 for the crime laboratories and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 938.34 (8d) for the delinquency victim and witness assistance surcharge, the amounts required by s.
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973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts required by s. 100.261 for the consumer protection assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment under the supplemental food program for women, infants and children, the amounts required by s. 349.04 for the truck driver education assessment, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the driver improvement surcharge, the amounts required by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the environmental assessment, the amounts required by s. 29.983 for the wild animal protection assessment, the amounts required by ss. 29.987 and 169.46 (1) for the natural resources assessment surcharge, the amounts required by s. 29.985 for the fishing shelter removal assessment, the amounts required by s. 350.115 for the snowmobile registration restitution payment, and the amounts required by ss. 29.989 and 169.46 (2) for natural resources restitution payments, transmit to the state treasurer secretary of administration a statement of all moneys required by law to be paid on the actions entered during the preceding month on or before the first day of the next succeeding month, certified by the county treasurer’s personal signature affixed or attached thereto, and at the same time pay to the state treasurer secretary of administration the amount thereof.

SECTION 1519. 59.25 (3) (k) of the statutes is amended to read:
59.25 (3) (k) Forward 40% of the state forfeitures, fines, and penalties under ch. 348 to the state treasurer secretary of administration for deposit in the transportation fund under s. 25.40 (1) (ig).

SECTION 1520. 59.25 (3) (L) of the statutes is amended to read:

59.25 (3) (L) Forward all money received under s. 66.0114 (3) (c) to the state treasurer secretary of administration for deposit in the transportation fund under s. 25.40 (1) (ig).

SECTION 1521. 59.25 (3) (m) of the statutes is amended to read:

59.25 (3) (m) Forward 50% of the fees received under s. 351.07 (1g) to the state treasurer secretary of administration for deposit in the transportation fund under s. 25.40 (1) (im).

SECTION 1522. 59.25 (3) (p) of the statutes is amended to read:

59.25 (3) (p) Pay to the state treasurer secretary of administration on his or her order the state percentage of fees received from the clerk of the circuit court under s. 59.40 (2) (m) and if any such moneys remain in his or her hands when he or she is required to pay the state percentage of fees, pay such moneys therewith to the state treasurer secretary of administration.

SECTION 1523. 59.26 (8) (a) of the statutes is amended to read:

59.26 (8) (a) In any county with a population of less than 500,000, the board, by ordinance, may fix the number of deputy sheriffs to be appointed in that county at not less than that number required by sub. (1) (a) and (b) and may set the salary of those deputies. The board may provide by ordinance that deputy sheriff positions be filled by appointment by the sheriff from a list of all persons with the 3 highest scores for each position based on a competitive examination. Such competitive examinations may be by a county civil service commission or by the division of merit.
recruitment and selection in the department of employment relations administration at the option of the board and it shall so provide by ordinance. The division of merit recruitment and selection in the department of employment relations administration shall, upon request of the board, conduct such examination according to the methods used in examinations for the state civil service and shall certify an eligible list of the names of all persons with the 3 highest scores on that examination for each position to the sheriff of that county who shall make an appointment from that list to fill the position within 10 days after he or she receives the eligible list. The county for which such examination is conducted shall pay the cost of that examination. If a civil service commission is decided upon for the selection of deputy sheriffs, then ss. 63.01 to 63.17 shall apply so far as consistent with this subsection, except ss. 63.03, 63.04 and 63.15 and except the provision governing minimum compensation of the commissioners. The ordinance or an amending ordinance may provide for employee grievance procedures and disciplinary actions, for hours of work, for tours of duty according to seniority and for other administrative regulations. Any board provision consistent with this paragraph and existing on July 25, 1951, is validated. If the sheriff fills a deputy sheriff position by promotion, the sheriff shall make the appointment to the position from a list of 3 deputy sheriffs who receive the highest scores in a competitive examination. Such competitive examinations may be by a county civil service commission or by the division of merit recruitment and selection in the department of employment relations administration at the option of the board and it shall so provide by ordinance.

SECTION 1524. 59.40 (2) (m) of the statutes is amended to read:
59.40 (2) (m) Pay monthly to the treasurer secretary of administration for the use of the state the state’s percentage of the fees required to be paid on each civil action, criminal action, and special proceeding filed during the preceding month and pay monthly to the treasurer secretary of administration for the use of the state the percentage of court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755 for the crime laboratories and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 938.34 (8d) for the delinquency victim and witness assistance surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts required by s. 100.261 for the consumer protection assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 253.06 (4) (c) for the enforcement assessment under the supplemental food program for women, infants, and children, the amounts required by s. 349.04 for the truck driver education assessment, the amounts required by ss. 346.177, 346.495, and 346.65 (4r) for the railroad crossing improvement assessment, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the environmental assessment, the amounts required under s. 29.983 for the wild animal protection assessment, the amounts required under ss. 29.987 (1) (d) and 169.46 (1) (d) for the natural resources assessment surcharge, the amounts required by s. 29.985 for the fishing shelter
removal assessment, the amounts required by s. 350.115 for the snowmobile
registration restitution payment, and the amounts required under ss. 29.989 (1) (d)
and 169.46 (2) (d) for the natural resources restitution payments. The payments
shall be made by the 15th day of the month following receipt thereof.

SECTION 1525. 59.53 (5) (a) of the statutes is amended to read:

59.53 (5) (a) The board shall contract with the department of workforce
development to implement and administer the child and spousal support and
establishment of paternity and the medical support liability programs provided for
by Title IV of the federal social security act. The board may designate by board
resolution any office, officer, board, department, or agency, except the clerk of circuit
court, as the county child support agency. The board or county child support agency
shall implement and administer the programs in accordance with the contract with
the department of workforce development. The attorneys responsible for support
enforcement under sub. (6) (a), circuit court commissioners, and all other county
officials shall cooperate with the county and the department of workforce
development as necessary to provide the services required under the programs. The
county shall charge the fee established by the department of workforce development
under s. 49.22 for services provided under this paragraph to persons not receiving
a stipend under s. 49.147 (3m) (g), benefits or wages under s. 49.148 or 49.155, or
assistance under s. 46.261, 49.19, or 49.47.

SECTION 1526. 59.53 (24) of the statutes is created to read:

59.53 (24) COUNTY PAYMENTS MADE UNDER MEDICAL ASSISTANCE. The board shall,
upon demand by the department of health and family services, authorize payment
to that department not to exceed any of the following:
(a) **Home and community based services.** For services provided under ss. 46.275 and 46.278 beginning in 2001 and thereafter, any payment made under s. 20.435 (4) (hm), and the portion of the payment made under s. 20.435 (4) (o) for Medical Assistance Program benefits administered under ss. 46.275 and 46.278 that is related to any rates increased for services under s. 46.275 or 46.278 beginning in 2001.

(b) **Alcohol and other drug and mental health prevention and treatment services.** For alcohol and other drug and mental health prevention and treatment services provided under s. 49.46 (2) (a) 1., 2., and 4. d. and e. and (b) 6. b., c., d., f., fm., j., k., L., and m., 9., 12., 12m., 13., 15., and 16. beginning in 2003 and thereafter, any payment made under s. 20.435 (4) (hm), and the portion of the payment made under s. 20.435 (4) (o) as Medical Assistance Program benefits for the services that is related to any rates increased for these services beginning in 2003.

**SECTION 1527.** 59.54 (12) of the statutes is amended to read:

59.54 (12) COUNTY-TRIBAL LAW ENFORCEMENT PROGRAMS. Pursuant to adoption of a resolution, a board may enter into an agreement and seek funding under s. 165.90 16.964 (7).

**SECTION 1528.** 60.24 (3) (L) of the statutes is amended to read:

60.24 (3) (L) If authorized by the town board, represent the interests of the town in connection with appearances before the state office of the commissioner of tax appeals commission under s. 70.64 (5).

**SECTION 1529.** 63.10 (2) of the statutes is amended to read:

63.10 (2) The commission shall appoint a time and place for the hearing of said charges, the time to be within 3 weeks after the filing of the same, and notify the person possessing the appointing power and the accused of the time and place of such
hearing. At the termination of the hearing the commission shall determine whether or not the charge is well founded and shall take such action by way of suspension, demotion, discharge or reinstatement, as it may deem requisite and proper under the circumstances and as its rules may provide. The decision of the commission shall be final. Neither the person possessing the appointing power nor the accused shall have the right to be represented by counsel at said hearing, but the commission may in its discretion permit the accused to be represented by counsel and may request the presence of an assistant district attorney to act with the commission in an advisory capacity.

**SECTION 1530.** 66.0114 (1) (bm) of the statutes is amended to read:

66.0114 (1) (bm) The official receiving the penalties shall remit all moneys collected to the treasurer of the city, village, town sanitary district, or public inland lake protection and rehabilitation district in whose behalf the sum was paid, except that all jail assessments shall be remitted to the county treasurer, within 20 days after its receipt by the official. If timely remittance is not made, the treasurer may collect the payment of the officer by action, in the name of the office, and upon the official bond of the officer, with interest at the rate of 12% per year from the date on which it was due. In the case of the penalty assessment imposed by s. 757.05, the crime laboratories and drug law enforcement assessment imposed by s. 165.755, the driver improvement surcharge imposed by s. 346.655 (1), the truck driver education assessment imposed by s. 349.04, any applicable consumer protection assessment imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary district, or public inland lake protection and rehabilitation district shall remit to the state treasurer secretary of administration the amount required by law to be paid on the actions entered
during the preceding month on or before the first day of the next succeeding month. The governing body of the city, village, town sanitary district, or public inland lake protection and rehabilitation district shall by ordinance designate the official to receive the penalties and the terms under which the official qualifies.

**SECTION 1531.** 66.0114 (3) (c) of the statutes is amended to read:

66.0114 (3) (c) The entire amount in excess of $150 of any forfeiture imposed for the violation of any traffic regulation in conformity with ch. 348 shall be transmitted to the county treasurer if the violation occurred on an interstate highway, a state trunk highway, or a highway over which the local highway authority does not have primary maintenance responsibility. The county treasurer shall then make payment to the county treasurer **secretary of administration** as provided in s. 59.25 (3) (L).

**SECTION 1532.** 66.0517 (3) (b) 1. of the statutes is amended to read:

66.0517 (3) (b) 1. Except as provided in sub. (2) (b), a weed commissioner shall receive compensation for the destruction of noxious weeds as determined by the town board, village board, or city council upon presenting to the proper treasurer the account for noxious weed destruction, verified by oath and approved by the appointing officer. The account shall specify by separate items the amount chargeable to each piece of land, describing the land, and shall, after being paid by the treasurer, be filed with the town, village, or city clerk. The clerk shall enter the amount chargeable to each tract of land in the next tax roll in a column headed “For the Destruction of Weeds”, as a tax on the lands upon which the weeds were destroyed. The tax shall be collected under ch. 74, except in case of lands which are exempt from taxation, railroad lands, or other lands for which taxes are not collected under ch. 74. A delinquent tax may be collected as is a delinquent real property tax
under chs. 74 and 75 or as is a delinquent personal property tax under ch. 74. In case of railroad lands or other lands for which taxes are not collected under ch. 74, the amount chargeable against these lands shall be certified by the town, village, or city clerk to the state treasurer, secretary of administration who shall add the amount designated to the sum due from the company owning, occupying, or controlling the lands specified. The state treasurer, secretary of administration shall collect the amount chargeable as prescribed in subch. I of ch. 76 and return the amount collected to the town, city, or village from which the certification was received.

SECTION 1533. 66.0801 (2) of the statutes is amended to read:

66.0801 (2) Sections 66.0803 to 66.0825 do not deprive the office of the commissioner of railroads, department of transportation or public service commission of any power under ss. 195.05 and 197.01 to 197.10 and ch. 196.

SECTION 1534. 69.14 (1) (cm) of the statutes is amended to read:

69.14 (1) (cm) Information concerning paternity. For a birth which occurs en route to or at a hospital, the filing party shall give the mother a copy of the pamphlet under s. 69.03 (14). If the child’s parents are not married at the time of the child’s birth, the filing party shall give the mother a copy of the form prescribed by the state registrar under s. 69.15 (3) (b) 3. The filing party shall ensure that trained, designated hospital staff provide to the child’s available parents oral information or an audio or video presentation and written information about the form and the significance and benefits of, and alternatives to, establishing paternity, before the parents sign the form. The filing party shall also provide an opportunity to complete the form and have the form notarized in the hospital. If the mother provides a completed form to the filing party while she is a patient in the hospital and within 5 days after the birth, the filing party shall send the form directly to the state
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The registrar. From the appropriation under s. 20.445 (3) (dz), the department of workforce development shall pay the filing party a financial incentive for correctly filing a form within 60 days after the child’s birth.

SECTION 1535. 69.22 (1) (c) of the statutes is amended to read:

69.22 (1) (c) Twelve dollars for issuing an uncertified copy of a birth certificate or a certified copy of a birth certificate, $7 of which shall be forwarded to the state treasurer secretary of administration as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h); and $3 for issuing any additional certified or uncertified copy of the same birth certificate issued at the same time.

SECTION 1536. 69.22 (1m) of the statutes is amended to read:

69.22 (1m) The state registrar and any local registrar acting under this subchapter shall, for each copy of a birth certificate for which a fee under sub. (1) (c) is charged that is issued during a calendar quarter, forward to the state treasurer secretary of administration for deposit in the appropriations under s. 20.433 (1) (g) and (h) the amounts specified in sub. (1) (c) by the 15th day of the first month following the end of the calendar quarter.

SECTION 1537. 70.36 (3) of the statutes is amended to read:

70.36 (3) The word assessor whenever used in ss. 70.35 and 70.36 shall, in 1st class cities, be deemed to refer also to the commissioner of assessments of any such city and, where applicable, shall be deemed also to refer to the department of revenue responsible for the manufacturing property assessment under s. 70.995.

SECTION 1538. 70.38 (4) of the statutes is amended to read:

70.38 (4) Appeals. (a) Any person feeling aggrieved by the assessment notice shall, within 60 days after the receipt of the notice, file with the department a petition for redetermination setting forth the person’s objections to the assessment.
The person may request an informal conference with representatives of the department prior to September 15. The request shall be indicated in the petition. The secretary shall act on the petition on or before October 1. On or before November 1, the person shall pay the amount determined by the secretary pursuant to the secretary’s action on the petition. If the person is aggrieved by the secretary’s denial of the petition the person may appeal to the office of the commissioner of tax appeals commission if the appeal is filed with the commission office of the commissioner on or before December 1.

(b) Determinations of the office of the commissioner of tax appeals commission shall be subject to judicial review under ch. 227.

**SECTION 1539.** 70.385 of the statutes is amended to read:

**70.385 Collection of the tax.** All taxes as evidenced by the report under s. 70.38 (1) are due and payable to the department on or before June 15, and shall be deposited by the department with the state treasurer secretary of administration.

**SECTION 1540.** 70.39 (2) of the statutes is amended to read:

70.39 (2) Any part of an assessment which is contested before the office of the commissioner of tax appeals commission or the courts, which after hearing shall be ordered to be paid, shall be considered as a delinquent tax if unpaid on the 10th day following the date of the final order and shall be subject to the penalty and interest provisions under sub. (1).

**SECTION 1541.** 70.39 (4) (b) of the statutes is amended to read:

70.39 (4) (b) The clerk of circuit court shall enter the warrant as a delinquent income or franchise tax warrant as required under s. 806.11. The clerk of circuit court shall accept, file, and enter the warrant without prepayment of any fee, but shall submit a statement of the proper fees within 30 days to the department of
revenue. The fees shall be paid by the state treasurer upon audit by the department of administration on the certificate of the secretary of revenue, the secretary of administration shall pay the fees and the fees shall be charged to the proper appropriation for the department of revenue.

SECTION 1542. 70.397 (3) (c) of the statutes is amended to read:

70.397 (3) (c) Any person feeling aggrieved by an assessment notice under this section may, within 60 days after receipt of the notice, file with the department a petition for redetermination setting forth the person's objections to the assessment. In the petition, the person may request an informal conference with representatives of the department. The secretary of revenue shall act on the petition within 90 days after receipt of the petition for redetermination. If the person is aggrieved by the secretary's denial of the petition, the person may appeal to the office of the commissioner of tax appeals commission if the appeal is filed with the commission office of the commissioner within 30 days after the petition is denied.

SECTION 1543. 70.44 (1) of the statutes is amended to read:

70.44 (1) Real or personal property omitted from assessment in any of the 2 next previous years, unless previously reassessed for the same year or years, shall be entered once additionally for each previous year of such omission, designating each such additional entry as omitted for the year of omission and affixing a just valuation to each entry for a former year as the same should then have been assessed according to the assessor's best judgment, and taxes shall be apportioned, using the net tax rate as provided in s. 70.43, and collected on the tax roll for such entry. This section shall not apply to manufacturing property assessed by the department of revenue under s. 70.995.

SECTION 1544. 70.511 (2) (c) of the statutes is amended to read:
70.511 (2) (c) If the reviewing authority increases the value of the property in question, the increase in value shall in the case of manufacturing property assessed by the department of revenue under s. 70.995 be assessed as omitted property as prescribed under s. 70.995 (12). In the case of all other property s. 70.44 shall apply.

SECTION 1545. 70.57 (2) of the statutes is amended to read:

70.57 (2) If the state board of assessors, the office of the commissioner of tax appeals commission or a court makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is higher or lower than the previous assessment, the department of revenue shall recertify the equalized value of the school district in which the property subject to taxation under s. 70.995 is located.

SECTION 1546. 70.64 (1) of the statutes is amended to read:

70.64 (1) BY THE OFFICE OF THE COMMISSIONER OF TAX APPEALS COMMISSION. The assessment and determination of the relative value of taxable general property in any county or taxation district, made by the department of revenue under s. 70.57, may be reviewed, and a redetermination of the value of such property may be made by the office of the commissioner of tax appeals commission, upon appeal by the county or taxation district. The filing of such appeal in the manner provided in this section by any county or taxation district shall impose upon the commission office of the commissioner of tax appeals the duty, under the powers conferred upon it by s. 73.01 (4) (a), to review the assessment complained of. If, in its judgment based upon the testimony, evidence and record made on the preliminary hearing of such appeal, the commission office of the commissioner of tax appeals finds such assessment to be unequal and discriminatory, it shall determine to correct such assessment to bring it into substantial compliance with law. Except as provided in this section, the appeal shall be taken and such review and redetermination shall be made as provided in ss.
73.01 and 73.015 and under the rules governing the procedure of the office of the commissioner of tax appeals.

**SECTION 1547.** 70.64 (3) (intro.) of the statutes is amended to read:

70.64 (3) **FORM OF APPEAL.** (intro.) To accomplish an appeal there shall be filed with the office of the commissioner of tax appeals commission on or before October 15 an appeal in writing setting forth:

**SECTION 1548.** 70.64 (3) (a) of the statutes is amended to read:

70.64 (3) (a) That the county or taxation district, naming the same, appeals to the office of the commissioner of tax appeals commission from the assessment made by the department of revenue under s. 70.57, specifying the date of such assessment.

**SECTION 1549.** 70.64 (4) of the statutes is amended to read:

70.64 (4) **CERTIFIED COPIES.** Upon the filing of such appeal, the clerk of the county or taxation district, without delay, shall prepare certified copies of it, together with certified copies of the value established by the department of revenue from which the appeal is taken and a complete list showing the clerk of each taxation district within the county and the post-office address of each. The clerk shall mail by certified mail 4 sets of certified copies to the office of the commissioner of tax appeals commission and one set of the copies to the department of revenue, the county clerk and the clerk of each taxation district within the county.

**SECTION 1550.** 70.64 (5) of the statutes is amended to read:

70.64 (5) **APPEARANCE.** Not later than 30 days after the clerk of the county or taxation district has mailed the certified copies, unless the time is extended by order of the office of the commissioner of tax appeals commission, any county, town, city or village may cause an appearance to be entered in its behalf before the commissioner office of the commissioner in support of the appeal and uniting with the appellant for
the relief demanded; and by verified petition or statement showing grounds therefor
may apply for other or further review and redetermination than that demanded in
the appeal. Within the same time the county, town, city or village in the county may
in the same manner have its appearance entered in opposition to the appeal and to
the relief demanded. Such appearances shall be authorized in the manner for
authorizing an appeal under sub. (2). When so authorized the interests of the county,
town, city or village authorizing it shall be in the charge of the chairperson, mayor
or president thereof unless otherwise directed by the body authorizing such
appearance; and attorneys may be employed in that behalf. In such appearances any
2 or more of the towns, cities and villages of the county may join if united in support
of or in opposition to the appeal. Four copies of each appearance, petition or
statement mentioned in this subsection shall be filed in the offices of
the commissioner of tax appeals and a copy of each mailed by certified mail
to the department of revenue, to the county clerk, and to the clerk of each town, city
and village within the county, and a copy to the attorney authorized to appear on
behalf of the county or any town, city or village within the county.

**SECTION 1551.** 70.64 (6) of the statutes is amended to read:

70.64 (6) HEARING. As soon as practicable, the commission office of the
commissioner of tax appeals shall set a time and place for preliminary hearing of
such appeal. At least 10 days before the time set for such hearing, the commission
office of the commissioner of tax appeals shall cause notice thereof to be mailed by
certified mail to the county clerk and to the attorney or the clerk of each town, city
and village in whose behalf an appearance has been entered in the matter of such
appeal, and to the clerk of each town, city or village which has not appeared, and mail
a like notice to the clerk of the taxation district taking such appeal and to the
department of revenue. The department of revenue shall be prepared to present to
the commission office of the commissioner of tax appeals at such time during the
course of the hearings as the commission office requires, the full value of all property
subject to general property taxation in each town, village and city of the county, as
determined by the department according to s. 70.57 (1) or in the case of a complaint
by a taxation district under a county assessor such information as the department
has in its possession. Said hearing may be adjourned, in the discretion of the office
of the commissioner of tax appeals commission, as often and to such times and places
as may be necessary in order to determine the facts. If satisfied that no substantial
injustice has been done in the taxation district assessment appealed from, the
commission office of the commissioner of tax appeals in its discretion may dismiss
such appeal. If satisfied that substantial injustice has been done in the taxation
district assessment, the commission office of the commissioner of tax appeals shall
determine to revalue any or all of the taxation districts in the county, which it deems
necessary, in a manner which in its judgment is best calculated to secure substantial
justice.

SECTION 1552. 70.64 (7) of the statutes is amended to read:

70.64 (7) Redetermination. The commission office of the commissioner of tax
appeals shall then proceed to redetermine the value of the taxable general property
in such of the taxation districts in the county as it deems necessary. It may include
in such redetermination other taxation districts than first determined upon and may
include all of the taxation districts in said county, if at any time during the progress
of its investigations or revaluations it is satisfied that such course is necessary in
order to accomplish substantial justice and to secure relative equality as between all
the taxation districts in such county. It shall make careful investigation of the value
of taxable general property in the several taxation districts to which such review and
redetermination shall extend, in any manner which in its judgment is best calculated
to obtain the fair, full value of such property. The commission office of the
commissioner of tax appeals may employ such experts and other assistants as may
be necessary, and fix their compensation. In making such investigations the
commission office of the commissioner of tax appeals and all persons employed
therein by the commission office shall have all the authority possessed by assessors
so far as applicable, including authority to administer oaths and to examine property
owners and witnesses under oath as to the quantity and value of the property subject
to assessment belonging to any person or within any taxation district to which the
investigation shall extend.

SECTION 1553. 70.64 (8) of the statutes is amended to read:
70.64 (8) HEARING. The commission office of the commissioner of tax appeals
may at any time before its final determination appoint a time and place at which it
will hear evidence and arguments relevant to the matters under consideration upon
such appeal. The time to be devoted to such hearings may be limited as the
commission office of the commissioner of tax appeals directs. At least 10 days before
the time fixed for such hearings, the commission office of the commissioner of tax
appeals shall cause notice thereof to be mailed by certified mail to the county clerk
and to the attorney or other representative of each town, city and village in whose
behalf an appearance has been entered in the matter of such appeal, and a like copy
to the department of revenue.

SECTION 1554. 70.64 (9) of the statutes is amended to read:
70.64 (9) TESTIMONY. The office of the commissioner of tax appeals commission
may take testimony. Witnesses summoned at the instance of said commission the
office of the commissioner of tax appeals shall be compensated at the rates provided
by law for witnesses in courts of record, the same to be audited and paid the same
as other claims against the state, upon the certificate of said commission the office
of the commissioner of tax appeals. If any property owner or other person makes any
false statement to said commission the office of the commissioner of tax appeals or
to any person employed by it upon any matter under investigation that person shall
be subject to all the forfeitures and penalties imposed by law for false statements to
assessors and boards of review.

**SECTION 1555.** 70.64 (10) of the statutes is amended to read:

70.64 (10) **DETERMINATION.** The *office of the commissioner of tax appeals*
commission shall make its determination upon such appeal without unreasonable
delay and shall file a copy thereof in the office of the county clerk and mail by certified
mail a like copy to the department of revenue and to the clerk and attorney of the
taxation district appealing, and a copy to the clerk and attorney of each taxation
district having appeared. In such determination the *commission office of the*
commissioner of tax appeals shall set forth the relative value of the taxable general
property in each town, city and village of such county as found by them, and what
sum, if any, shall be added to or deducted from the aggregate value of taxable
property in each such taxation district as fixed in the determination of the
department of revenue from which such appeal was taken in order to produce a
relatively just and equitable taxation district assessment. Such determination shall
be final.

**SECTION 1556.** 70.64 (11) of the statutes is amended to read:

70.64 (11) **COMPUTATION.** The determination of the *commission office of the*
commissioner of tax appeals shall not affect the validity of taxes apportioned in
accordance with the taxation district assessment from which such appeal was taken; but if it is determined upon such appeal that such taxation district assessment is relatively unequal, such inequality shall be remedied and compensated in the apportionment of state and county taxes in such county next following the determination of said commission the office of the commissioner of tax appeals in the following manner: Each town, city and village whose valuation in such taxation district assessment was determined by said commission the office of the commissioner of tax appeals to be relatively too high shall be credited a sum equal to the amount of taxes charged to it upon such unequal assessment in excess of the amount equitably chargeable thereto according to the determination of the commission office of the commissioner of tax appeals; and each town, city and village whose valuation in such taxation district assessment was determined by said commission the office of the commissioner of tax appeals to be relatively too low shall be charged, in addition to all other taxes, a sum equal to the difference between the amount charged thereto upon such unequal assessment and the amount which should have been charged thereto according to the determination of the commission office of the commissioner of tax appeals. The department of revenue shall aid the county clerk in making proper computations.

**SECTION 1557.** 70.64 (12) of the statutes is amended to read:

70.64 (12) **Expenses.** The office of the commissioner of tax appeals commission shall transmit to the county clerk with its determination on such appeal a statement of all expenses incurred therein by or at the instance of the commission office of the commissioner of tax appeals, which shall include the actual expenses of the commission office of the commissioner of tax appeals and regular employees of the commission office, the compensation and actual expenses of all other persons
employed by it and the fees of officers employed and witnesses summoned at its instance. A duplicate of such statement shall be filed in the office of the department of administration. Such expenses shall be audited upon the certificate of the commission office of the commissioner of tax appeals, and paid out of the state treasury, in the first instance, as other claims against the state are audited and paid. The amount of such expenses shall be a special charge against such county and shall be included in the next apportionment and certification of state taxes and charges, and collected from such county, as other special charges are certified and collected. Unless otherwise directed by the commission office of the commissioner of tax appeals in its determination upon such appeal, the county clerk, in the next apportionment of state and county taxes, shall apportion the amount of such special charges to and among the towns, cities and villages in such county whose relative valuations were increased in the determination of the commission office of the commissioner of tax appeals in proportion to the amount of such increase in each of them respectively. The apportionment of such expenses shall be set forth in the determination of the commission office of the commissioner of tax appeals. The amount so apportioned to each such town, city and village shall be charged upon its tax roll and shall be collected and paid over to the county treasurer as other state taxes and special charges are collected and paid.

SECTION 1558. 70.99 (3) (a) of the statutes is amended to read:

70.99 (3) (a) The state department of employment relations administration shall recommend a reasonable salary range for the county assessor for each county based upon pay for comparable work or qualifications in that county. If, by contractual agreement under s. 66.0301, 2 or more counties join to employ one county assessor with the approval of the secretary of revenue, the department of
employment relations administration shall recommend a reasonable salary range for the county assessor under the agreement. The department of revenue shall assist the county in establishing the budget for the county assessor’s offices, including the number of personnel and their qualifications, based on the anticipated workload.

SECTION 1559. 70.995 (title) of the statutes is amended to read:

70.995 (title) State assessment Assessment of manufacturing property.

SECTION 1560. 70.995 (4) of the statutes is amended to read:

70.995 (4) Whenever real property or tangible personal property is used for one, or some combination, of the processes mentioned in sub. (3) and also for other purposes, the department of revenue, if satisfied that there is substantial use in one or some combination of such processes, may assess the shall establish standards and procedures for the assessment of property under this section. For all purposes of this section the department of revenue shall have sole discretion for the determination of what is substantial use and what description of real property or what unit of tangible personal property shall constitute “the property” to be included for assessment purposes, and, in connection therewith, the department may include in a real property unit, real property owned by different persons. Vacant property designed for use in manufacturing, assembling, processing, fabricating, making or milling tangible property for profit may be assessed under this section or under s. 70.32 (1), and the period of vacancy may not be the sole ground for making that determination. In those specific instances where a portion of a description of real property includes manufacturing property rented or leased and operated by a separate person which does not satisfy the substantial use qualification for the entire property, the local assessor shall assess the entire real property description and all personal property not exempt under s. 70.11 (27). The applicable portions of the
standard manufacturing property report form under sub. (12) as they relate to
manufacturing machinery and equipment shall be submitted by such person and
shall publish such standards and procedures in the property tax assessment manual
provided under s. 73.03 (2a).

SECTION 1561. 70.995 (5) of the statutes is amended to read:

70.995 (5) The department of revenue taxation district assessor of the taxation
district in which the property is located shall assess all property of manufacturing
establishments included under subs. (1) and (2) as of the close of January 1 of each
year, if on or before March 1 of that year the department has classified the property
as manufacturing or the owner of the property has requested, in writing, that the
department make such a classification and the department later does so. A change
in ownership, location, or name of the manufacturing establishment does not
necessitate a new request. In assessing lands from which metalliferous minerals are
being extracted and valued for purposes of the tax under s. 70.375, the value of the
metalliferous mineral content of such lands shall be excluded.

SECTION 1562. 70.995 (6) of the statutes is repealed.

SECTION 1563. 70.995 (7) (a) of the statutes is renumbered 70.995 (7) and
amended to read:

70.995 (7) Each manufacturing property assessed by The taxation district
assessor shall notify the department of revenue shall be entered of all manufacturing
property located and assessed in the taxation district and the department shall enter
such property on a state manufacturing property assessment roll for each
municipality that has manufacturing property as set forth in subs. (1) and (2).
Notification of the individual manufacturing property assessments contained in the
roll shall be furnished by the department to the municipal clerk that identifies all such property by the municipality in which the property is located.

**SECTION 1564.** 70.995 (7) (b) of the statutes is repealed.

**SECTION 1565.** 70.995 (8) (a) of the statutes is amended to read:

70.995 (8) (a) The secretary of revenue shall establish a state board of assessors, which shall be comprised of the members of the department of revenue whom the secretary designates. The state board of assessors shall investigate any objection filed under par. (c) or (d) if the fee under that paragraph is paid. The state board of assessors, after having made the investigation, shall notify the person assessed or the person’s agent and the appropriate municipality of its determination by 1st class mail or electronic mail. Beginning with objections filed in 1989, the state board of assessors shall make its determination on or before April 1 of the year after the filing. If the determination results in a refund of property taxes paid, the state board of assessors shall include in the determination a finding of whether the refund is due to false or incomplete information supplied by the person assessed. The person assessed or the municipality having been notified of the determination of the state board of assessors shall be deemed to have accepted the determination unless the person or municipality files a petition for review with the clerk of the office of the commissioner of tax appeals commission as provided in s. 73.01 (5) and the rules of practice promulgated by the commission office of the commissioner of tax appeals. If an assessment is reduced by the state board of assessors, the municipality affected may file an appeal seeking review of the reduction, or may, within 30 days after the person assessed files a petition for review, file a cross-appeal, before the office of the commissioner of tax appeals commission even though the municipality did not file an objection to the assessment with the board. If the board does not overrule a
change from assessment under this section to assessment under s. 70.32 (1), the
affected municipality may file an appeal before the tax appeals commission. If an
assessment is increased by the board, the person assessed may file an appeal seeking
review of the increase, or may, within 30 days after the municipality files a petition
for review, file a cross–appeal, before the commission office of the commissioner of
tax appeals even though the person did not file an objection to the assessment with
the board.

SECTION 1566. 70.995 (8) (b) 1. of the statutes is renumbered 70.995 (8) (b) and
amended to read:

70.995 (8) (b)  The department of revenue taxation district in which the
manufacturing property is located shall annually notify each manufacturer assessed
under this section and the municipality in which the manufacturing property is
located of the full value of all real and personal property owned by the manufacturer
that is located in the taxation district. The notice shall be in writing and shall be sent
by 1st class mail or electronic mail. In addition, the notice shall specify that
objections to valuation, amount, or taxability must be filed with the state board of
assessors within 60 days of issuance of the notice of assessment, that objections to
a change from assessment under this section to assessment under s. 70.32 (1) must
be filed within 60 days after receipt of the notice, that the fee under par. (c) 1. or (d)
must be paid and that the objection is not filed until the fee is paid. A statement shall
be attached to the assessment roll indicating that the notices required by this section
have been mailed and failure to receive the notice does not affect the validity of the
assessments, the resulting tax on real or personal property, the procedures of the
office of the commissioner of tax appeals commission or of the state board of
assessors, or the enforcement of delinquent taxes by statutory means.
**SECTION 1567.** 70.995 (8) (b) 2. of the statutes is repealed.

**SECTION 1568.** 70.995 (8) (c) 1. of the statutes is amended to read:

70.995 (8) (c) 1. All objections to the amount, valuation, taxability, or change from assessment under this section to assessment under s. 70.32 (1) of property shall be first made in writing on a form prescribed by the department of revenue that specifies that the objector shall set forth the reasons for the objection, the objector’s estimate of the correct assessment, and the basis under s. 70.32 (1) for the objector’s estimate of the correct assessment. An objection shall be filed with the state board of assessors within the time prescribed in par. (b) 1. A $45 fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is paid. Neither the state board of assessors nor the office of the commissioner of tax appeals commission may waive the requirement that objections be in writing. Persons who own land and improvements to that land may object to the aggregate value of that land and improvements to that land, but no person who owns land and improvements to that land may object only to the valuation of that land or only to the valuation of improvements to that land.

**SECTION 1569.** 70.995 (8) (c) 2. of the statutes is amended to read:

70.995 (8) (c) 2. A manufacturer who files an objection under subd. 1. may file supplemental information to support the manufacturer’s objection within 60 days from the date the objection is filed. The state board of assessors shall notify the municipality taxation district in which the manufacturer’s property is located of supplemental information filed by the manufacturer under this subdivision, if the municipality taxation district has filed an appeal related to the objection.

**SECTION 1570.** 70.995 (8) (d) of the statutes is repealed.
SECTION 1571. 70.995 (8) (dm) of the statutes is amended to read:

70.995 (8) (dm) The department shall refund filing fees paid under par. (c) 1. or (d) if the appeal in respect to the fee is denied because of lack of jurisdiction.

SECTION 1572. 70.995 (8) (e) of the statutes is amended to read:

70.995 (8) (e) Upon completion of and review by the office of the commissioner of tax appeals commission and receipt of the statement of assessments required under s. 70.53, the department of revenue shall be responsible for equating all full-value manufacturing property assessments entered in the manufacturing property assessment roll to the general level of assessment of all other property within the individual taxation district. Thereafter, the manufacturing property assessment roll shall be delivered to the municipal clerk and annexed to the municipal assessment roll containing all other property.

SECTION 1573. 70.995 (9) of the statutes is amended to read:

70.995 (9) Any aggrieved party may appeal a determination by the office of the commissioner of tax appeals commission under sub. (8) to the circuit court for Dane County under s. 73.015.

SECTION 1574. 70.995 (10) of the statutes is amended to read:

70.995 (10) Municipalities, and counties with a county assessor system, Taxation districts shall have access to all manufacturing property for the purpose of making appraisals of valuation of such property and may employ appraisal personnel, who need not be certified under s. 70.05 (4), for such purpose.

SECTION 1575. 70.995 (11) of the statutes is repealed.

SECTION 1576. 70.995 (12) (a) of the statutes is amended to read:

70.995 (12) (a) The department of revenue shall prescribe a standard manufacturing property report form that shall be submitted annually to the taxation
district in which the property is located for each real estate parcel and each personal
property account on or before March 1 by all manufacturers whose property is
assessed under this section. The report form shall contain all information considered
necessary by the department and shall include, without limitation, income and
operating statements, fixed asset schedules and a report of new construction or
demolition. Failure to submit the report shall result in denial of any right of
redetermination by the state board of assessors or the office of the commission of tax
appeals commission. If any property is omitted or understated in the assessment roll
in any of the next 5 previous years, the assessor shall enter the value of the omitted
or understated property once for each previous year of the omission or
understatement. The assessor shall affix a just valuation to each entry for a former
year as it should have been assessed according to the assessor’s best judgment. Taxes
shall be apportioned and collected on the tax roll for each entry, on the basis of the
net tax rate for the year of the omission, taking into account credits under s. 79.10.
In the case of omitted property, interest shall be added at the rate of 0.0267% per day
for the period of time between the date when the form is required to be submitted and
the date when the assessor affixes the just valuation. In the case of underpayments
determined after an objection under s. 70.995 (8) (d), interest shall be added at the
average annual discount interest rate determined by the last auction of 6-month
U.S. treasury bills before the objection per day for the period of time between the date
when the tax was due and the date when it is paid.

**SECTION 1577.** 70.995 (12) (b) of the statutes is amended to read:

70.995 (12) (b) The department of revenue taxation district shall allow an
extension to April 1 of the due date for filing the report forms required under par. (a)
if a written application for an extension, stating the reason for the request, is filed with the department on or before March 1.

SECTION 1578. 70.995 (12) (c) of the statutes is amended to read:

70.995 (12) (c) Unless the taxpayer shows that the failure is due to reasonable cause, if a taxpayer fails to file any form required under par. (a) for property that the department of revenue was assessed during under this section in the previous year by the due date or by any extension of the due date that has been granted, the taxpayer shall pay to the department of revenue taxation district in which the property is located a penalty of $25 if the form is filed 1 to 10 days late; $50 or 0.05% of the previous year’s assessment, whichever is greater, but not more than $250, if the form is filed 11 to 30 days late; and $100 or 0.1% of the previous year’s assessment, whichever is greater, but not more than $750, if the form is filed more than 30 days late. Penalties are due 30 days after they are assessed and are delinquent if not paid on or before that date. The department taxation district may refund all or part of any penalty it assesses under this paragraph if it finds reasonable grounds for late filing.

SECTION 1579. 70.995 (12r) of the statutes is amended to read:

70.995 (12r) The department of revenue Each taxation district shall calculate the value of property located in the taxation district that is used in manufacturing, as defined in this section, and that is exempt under s. 70.11 (39) and (39m).

SECTION 1580. 70.995 (13) of the statutes is repealed.

SECTION 1581. 71.10 (5) (h) (intro.) of the statutes is amended to read:

71.10 (5) (h) Certification of amounts. (intro.) Annually, on or before September 15, the secretary of revenue shall certify to the department of natural resources, and the department of administration and the state treasurer:
**SECTION 1582.** 71.10 (5e) (h) (intro.) of the statutes is amended to read:

71.10 (5e) (h)  *Certification of amounts.* (intro.) Annually, on or before September 15, the secretary of revenue shall certify to the district board under subch. IV of ch. 229, and the department of administration and the state treasurer:

**SECTION 1583.** 71.30 (10) (h) (intro.) of the statutes is amended to read:

71.30 (10) (h)  *Certification of amounts.* (intro.) Annually, on or before September 15, the secretary of revenue shall certify to the department of natural resources, and the department of administration and the state treasurer:

**SECTION 1584.** 71.74 (13) (a) of the statutes is amended to read:

71.74 (13) (a)  If the tax is increased the department shall proceed to collect the additional tax in the same manner as other income or franchise taxes are collected. If the income or franchise taxes are decreased upon direction of the department the *state treasurer* *secretary of administration* shall refund to the taxpayer such part of the overpayment as was actually paid in cash, and the certification of the overpayment by the department shall be sufficient authorization to the *treasurer* *secretary of administration* for the refunding of the overpayment. No refund of income or franchise tax shall be made by the *treasurer* *secretary of administration* unless the refund is so certified. The part of the overpayment paid to the county and the local taxation district shall be deducted by the *state treasurer* *secretary of administration* in the *treasurer’s* *secretary’s* next settlement with the county and local treasurer.

**SECTION 1585.** 71.74 (13) (b) of the statutes is amended to read:

71.74 (13) (b)  No action or proceeding whatsoever shall be brought against the *state* or the *treasurer* thereof *secretary of administration* for the recovery, refund, or credit of any income or surtaxes; except in case the *state treasurer* *secretary of
administration shall neglect or refuse for a period of 60 days to refund any overpayment of any income or surtaxes certified, the taxpayer may maintain an action to collect the overpayment against the treasurer secretary of administration so neglecting or refusing to refund such overpayment, without filing a claim for refund with such treasurer the secretary of administration, provided that such action shall be commenced within one year after the certification of such overpayment.

SECTION 1586. 71.74 (14) of the statutes is amended to read:

71.74 (14) ADDITIONAL REMEDY TO COLLECT TAX. The department may also proceed under s. 71.91 (5) for the collection of any additional assessment of income or franchise taxes or surtaxes, after notice thereof has been given under sub. (11) and before the same shall have become delinquent, when it has reasonable grounds to believe that the collection of such additional assessment will be jeopardized by delay. In such cases notice of the intention to so proceed shall be given by registered mail to the taxpayer, and the warrant of the department shall not issue if the taxpayer within 10 days after such notice furnishes a bond in such amount, not exceeding double the amount of the tax, and with such sureties as the department shall approve, conditioned upon the payment of so much of the additional taxes as shall finally be determined to be due, together with interest thereon as provided by s. 71.82 (1) (a). Nothing in this subsection shall affect the review of additional assessments provided by ss. 71.88 (1) (a) and (2) (a), 71.89 (2), 73.01, and 73.015, and any amounts collected under this subsection shall be deposited with the state treasurer secretary of administration and disbursed after final determination of the taxes as are amounts deposited under s. 71.90 (2).

SECTION 1587. 71.80 (1) (e) of the statutes is amended to read:
71.80 (1) (e) Representatives of the department directed by it to accept payment of income or franchise taxes shall file bonds with the state treasurer secretary of administration in such amount and with such sureties as the state treasurer shall direct and approve.

Section 1588. 71.80 (16) (b) of the statutes is amended to read:

71.80 (16) (b) A construction contractor required to file a surety bond under par. (a) may, in lieu of such requirement, but subject to approval by the department, deposit with the state treasurer secretary of administration an amount of cash equal to the face of the bond that would otherwise be required. If an offer to deposit is made, the department shall issue a certificate to the state treasurer secretary of administration authorizing said treasurer secretary to accept payment of such moneys and to give his or her receipt therefor. A copy of such certificate shall be mailed to the contractor who shall, within the time fixed by the department, pay such amount to said treasurer the secretary of administration. A copy of the receipt of the state treasurer secretary of administration shall be filed with the department. Upon final determination by the department of such contractor’s liability for state income or franchise taxes, required unemployment insurance contributions, sales and use taxes, and income taxes withheld from wages of employees, interest and penalties, by reason of such contract or contracts, the department shall certify to the state treasurer secretary of administration the amount of taxes, penalties, and interest as finally determined, shall instruct the treasurer secretary of administration as to the proper distribution of such amount, and shall state the amount, if any, to be refunded to such contractor. The state treasurer secretary of administration shall make the payments directed by such certificate within 30 days after receipt thereof. Amounts refunded to the contractor shall be without interest.
SECTION 1589. 71.80 (17) of the statutes is amended to read:

71.80 (17) Tax receipts transmitted to the state treasurer the secretary of administration. Within 15 days after receipt of any income or franchise tax payments, the department shall transmit the same to the state treasurer secretary of administration.

SECTION 1590. 71.82 (2) (d) of the statutes is amended to read:

71.82 (2) (d) Withholding tax. Of the amounts required to be withheld any amount not deposited or paid over to the department within the time required shall be deemed delinquent and deposit reports or withholding reports filed after the due date shall be deemed late. Delinquent deposits or payments shall bear interest at the rate of 1.5% per month from the date deposits or payments are required under this section until deposited or paid over to the department. The department shall provide by rule for reduction of interest on delinquent deposits to 12% per year in stated instances wherein the secretary of revenue determines reduction fair and equitable. In the case of a timely filed deposit or withholding report, withheld taxes shall become delinquent if not deposited or paid over on or before the due date of the report. In the case of no report filed or a report filed late, withheld taxes shall become delinquent if not deposited or paid over by the due date of the report. In the case of an assessment under s. 71.83 (1) (b) 2., the amount assessed shall become delinquent if not paid on or before the first day of the calendar month following the calendar month in which the assessment becomes final, but if the assessment is contested before the office of the commissioner of tax appeals commission or in the courts, it shall become delinquent on the 30th day following the date on which the order or judgment representing final determination becomes final.

SECTION 1591. 71.88 (2) (title) of the statutes is amended to read:
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71.88 (2) (title) Appeal to the Wisconsin Office of the Commissioner of Tax Appeals Commission.

SECTION 1592. 71.88 (2) (a) of the statutes is amended to read:

71.88 (2) (a) Appeal of the department’s redetermination of assessments and claims for refund. A person feeling aggrieved by the department's redetermination may appeal to the office of the commissioner of tax appeals commission by filing a petition with the clerk of the commission office of the commissioner of tax appeals as provided by law and the rules of practice promulgated by the commission office of the commissioner of tax appeals. If a petition is not filed with the commission office of the commissioner of tax appeals within the time provided in s. 73.01 or, except as provided in s. 71.75 (5), if no petition for redetermination is made within the time provided the assessment, refund, or denial of refund shall be final and conclusive.

SECTION 1593. 71.88 (2) (b) of the statutes is amended to read:

71.88 (2) (b) Appeal of department’s redetermination of credits. Any person aggrieved by the department of revenue’s redetermination of a credit under s. 71.07 (3m) or (6), 71.28 (1) or (2m) or 71.47 (1) or (2m) or subch. VIII or IX, except when the denial is based upon late filing of claim for credit or is based upon a redetermination under s. 71.55 (8) of rent constituting property taxes accrued as at arm’s length, may appeal the redetermination to the office of the commissioner of tax appeals commission by filing a petition with the commission office of the commissioner of tax appeals within 60 days after the redetermination, as provided under s. 73.01 (5) with respect to income or franchise tax cases, and review of the commission's decision of the office of the commissioner of tax appeals may be had under s. 73.015. For appeals brought under this paragraph, the filing fee required under s. 73.01 (5) (a) does not apply.
Section 1594. 71.89 (1) of the statutes is amended to read:

71.89 (1) If the taxpayer requests a hearing, the additional tax or overpayment shall not become due and payable until after hearing and determination of the tax by the office of the commissioner of tax appeals commission or disposition of the appeal pursuant to stipulation and order under ss. 73.01 (4) (a) and 73.03 (25).

Section 1595. 71.89 (2) of the statutes is amended to read:

71.89 (2) No person against whom an assessment of income or franchise tax has been made shall be allowed in any action either as plaintiff or defendant or in any other proceeding to question such assessment unless the requirements of ss. 71.88 and 71.90 (1) shall first have been complied with, and unless such person shall have made full disclosure under oath at the hearing before the office of the commissioner of tax appeals commission of any and all income that the person received. The requirement of full disclosure under this subsection may be waived by the department of revenue.

Section 1596. 71.89 (3) of the statutes is amended to read:

71.89 (3) As soon as the appellant shall have filed a petition with the office of the commissioner of tax appeals commission, all collection proceedings, except proceedings under s. 71.74 (14), shall be stayed until final determination of the appeal and any review thereof.

Section 1597. 71.89 (4) of the statutes is amended to read:

71.89 (4) Any person who contests an assessment before the office of the commissioner of tax appeals commission or in court shall state in his or her petition or notice of appeal what portion if any of the tax is admitted to be legally assessable and correct. Within 5 days after notice by the department, the appellant shall pay to the department the whole amount of the admitted tax and such tax shall be
appropriated in accordance with s. 25.20. Any such payment shall be considered an
admission of the legality of the tax thus paid, and such tax so paid cannot be
recovered in the pending appeal or in any other action or proceeding.

SECTION 1598. 71.90 (2) of the statutes is amended to read:

71.90 (2) DEPOSIT WITH THE STATE TREASURER. At any time while the petition is
pending before the office of the commissioner of tax appeals commission or an appeal
in regard to that petition is pending in a court, the taxpayer may offer to deposit the
entire amount of the additional taxes, together with interest, with the state
treasurer. If an offer to deposit is made, the department of revenue shall issue a
certificate to the state treasurer authorizing the treasurer to accept payment of such
taxes together with interest to the first day of the succeeding month and to give a
receipt. A copy of the certificate shall be mailed to the taxpayer who shall pay the
taxes and interest to the treasurer within 30 days. A copy of the receipt of the state
treasurer shall be filed with the department. The department shall, upon final
determination of the appeal, certify to the state treasurer the amount of the taxes as
finally determined and direct the state treasurer to refund to the appellant any
portion of such payment which has been found to have been improperly assessed,
including interest. The state treasurer shall make the refunds directed by the
certificate within 30 days after receipt. Taxes paid to the state treasurer under this
subsection shall be subject to the interest provided by ss. 71.82 and 71.91 (1) (c) only
to the extent of the interest accrued on the taxes prior to the first day of the month
succeeding the application for hearing. Any portion of the amount deposited with the
state treasurer which is refunded to the taxpayer shall bear interest at the rate of
9% per year during the time that the funds are on deposit.
SECTION 1599. 71.90 (2) of the statutes, as affected by 2003 Wisconsin Act ....

Deposit with the state treasurer secretary of administration.  At any time while the petition is pending before the office of the commissioner of tax appeals or an appeal in regard to that petition is pending in a court, the taxpayer may offer to deposit the entire amount of the additional taxes, together with interest, with the state treasurer secretary of administration.  If an offer to deposit is made, the department of revenue shall issue a certificate to the state treasurer secretary of administration authorizing the treasurer secretary to accept payment of such taxes together with interest to the first day of the succeeding month and to give a receipt. A copy of the certificate shall be mailed to the taxpayer who shall pay the taxes and interest to the treasurer secretary of administration within 30 days.  A copy of the receipt of the state treasurer secretary of administration shall be filed with the department.  The department shall, upon final determination of the appeal, certify to the state treasurer secretary of administration the amount of the taxes as finally determined and direct the state treasurer secretary of administration to refund to the appellant any portion of such payment which has been found to have been improperly assessed, including interest.  The state treasurer secretary of administration shall make the refunds directed by the certificate within 30 days after receipt.  Taxes paid to the state treasurer secretary of administration under this subsection shall be subject to the interest provided by ss. 71.82 and 71.91 (1) (c) only to the extent of the interest accrued on the taxes prior to the first day of the month succeeding the application for hearing. Any portion of the amount deposited with the state treasurer secretary of administration which is refunded to the taxpayer shall bear interest at the rate of 9% per year during the time that the funds are on deposit.
SECTION 1600. 71.91 (1) (b) of the statutes is amended to read:

71.91 (1) (b) Withholding. Any amount not deposited or paid over to the department, or to the person that the department prescribes, within the time required shall be deemed delinquent and deposit reports or withholding reports filed after the due date shall be deemed late. In the case of a timely filed deposit or withholding report, withheld taxes shall become delinquent if not deposited or paid over on or before the due date of the report. In the case of no report filed or a report filed late, withheld taxes shall become delinquent if not deposited or paid over by the due date of the report. In the case of an assessment under s. 71.83 (1) (b) 2., the amount assessed shall become delinquent if not paid on or before the due date specified in the notice of deficiency, but if the assessment is contested before the office of the commissioner of tax appeals commission or in the courts, it shall become delinquent on the 30th day following the date on which the order or judgment representing final determination becomes final.

SECTION 1601. 71.91 (1) (c) of the statutes is amended to read:

71.91 (1) (c) Contested income and franchise tax assessments. Any additional income or franchise tax assessment contested before the office of the commissioner of tax appeals commission or in the courts, which is finally determined to be correct, shall become delinquent if not paid on or before the 30th day following the date on which the order or judgment representing such final determination becomes final and conclusive. Any additional income or franchise tax assessment so contested shall be subject to s. 71.74 (14).

SECTION 1602. 71.91 (5) (h) of the statutes is amended to read:

71.91 (5) (h) All fees and compensation of officials or other persons performing any act or functions required in carrying out this subchapter, except such as are by
this subchapter to be paid to such officials or persons by the taxpayer, shall, upon
presentation to the department of revenue of an itemized and verified statement of
the amount due, be paid by the state treasurer, upon audit by the department of
administration on the certificate of the secretary of revenue, by the secretary of
administration and charged to the proper appropriation for the department of
revenue. No public official shall be entitled to demand prepayment of any fee for the
performance of any official act required in carrying out this subchapter.

SECTION 1603. 71.91 (7) (e) of the statutes is amended to read:

71.91 (7) (e) Paragraphs (b) to (d) shall apply in any case in which the employer
is the United States or any instrumentality thereof or this state or any municipality
or other subordinate unit thereof except those provisions imposing a liability on the
employer for failure to withhold or remit. But an amount equal to any amount
withheld by any municipality or other subordinate unit of this state under this
subsection and not remitted to the department as required by this subsection shall
be retained by the state treasurer, secretary of administration from funds otherwise
payable to any such municipality or subordinate unit, and transmitted instead to the
department, upon certification by the secretary of revenue.

SECTION 1604. 71.93 (1) (a) 4. of the statutes is amended to read:

71.93 (1) (a) 4. An amount that the department of workforce development may
recover under s. 49.161, 49.195 (3), or 49.793, or may collect under s. 49.147 (6) (cm),
if the department of workforce development has certified the amount under s. 49.85.

SECTION 1605. 71.93 (1) (a) 4. of the statutes, as affected by 2003 Wisconsin Act
.... (this act), is amended to read:

71.93 (1) (a) 4. An amount that the department of workforce development may
recover under s. 49.161, 49.195 (3), or 49.793, or may collect under s. 49.147 (6) (cm),
49.1471 (3m), if the department of workforce development has certified the amount under s. 49.85.

**SECTION 1606.** 71.93 (1) (a) 5. of the statutes is amended to read:

71.93 (1) (a) 5. An amount owed to the department of corrections under s. 304.073 (2) or 304.074 (2).

**SECTION 1607.** 72.24 of the statutes is amended to read:

**72.24 Refunding.** Whenever any amount has been paid in excess of the tax determined, the state treasurer, upon certification by the department or circuit court, shall refund the excess to the payor or other person entitled thereto.

**SECTION 1608.** Chapter 73 (title) of the statutes is amended to read:

**CHAPTER 73**

**OFFICE OF THE COMMISSIONER**

**OF TAX APPEALS COMMISSION**

**AND DEPARTMENT OF REVENUE**

**SECTION 1609.** 73.01 (title) of the statutes is amended to read:

**73.01 (title) Tax Office of the commissioner of tax appeals commission.**

**SECTION 1610.** 73.01 (1) (a) of the statutes is repealed.

**SECTION 1611.** 73.01 (1) (bm) of the statutes is created to read:

73.01 (1) (bm) “Tax appeals commissioner” means the commissioner of the office of the commissioner of tax appeals, as appointed under ss. 15.06 (1) (bm) and 15.105 (1m).

**SECTION 1612.** 73.01 (2) of the statutes is amended to read:
73.01 (2) EMPLOYEES. The chairperson of the commission tax appeals commissioner may appoint, under the classified service, such employees for the commission office of the commissioner of tax appeals as are necessary.

SECTION 1613. 73.01 (3) of the statutes is amended to read:

73.01 (3) HEARINGS AND REPORTS. (a) The time and place of meetings and hearings of the commission office of the commissioner of tax appeals shall be designated by the chairperson tax appeals commissioner. Rooms for hearings outside the city of Madison shall be provided under s. 73.07. All hearings held in Milwaukee shall be held in the southeast district office of the department of natural resources. The commission office of the commissioner of tax appeals shall maintain permanent hearing rooms in Madison.

(b) The commission office of the commissioner of tax appeals shall provide for the publication of such of its reports, decisions and opinions as are of public interest in such form as it deems best adapted for public convenience and use. Such publications shall constitute the official reports of the commission office of the commissioner of tax appeals and shall be made available for sale and distribution to the public under ch. 35. In addition to any report submitted under s. 15.06 (7), the commission office of the commissioner of tax appeals shall make additional reports to the governor or the legislature as they request. The commission office of the commissioner of tax appeals shall submit a report requested by the legislature to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2).

SECTION 1614. 73.01 (4) of the statutes is amended to read:

73.01 (4) POWERS AND DUTIES DEFINED. (a) Subject to the provisions for judicial review contained in s. 73.015, the commission office of the commissioner of tax
appeals shall be the final authority for the hearing and determination of all questions of law and fact arising under sub. (5) and s. 72.86 (4), 1985 stats., and ss. 70.38 (4) (a), 70.397, 70.64, and 70.995 (8), s. 76.38 (12) (a), 1993 stats., ss. 76.39 (4) (c), 76.48 (6), 76.91, 77.26 (3), 77.59 (6) (b), 78.01, 78.22, 78.40, 78.555, 139.02, 139.03, 139.06, 139.31, 139.315, 139.33, 139.76, 139.78, 341.405, and 341.45, subch. XIV of ch. 71, and subch. VII of ch. 77. Whenever with respect to a pending appeal there is filed with the commission office of the commissioner of tax appeals a stipulation signed by the department of revenue and the adverse party, under s. 73.03 (25), or the department of transportation and the adverse party agreeing to an affirmance, modification, or reversal of the department of revenue’s or department of transportation’s position with respect to some or all of the issues raised in the appeal, the commission office of the commissioner of tax appeals shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner’s refund claim, as the case may be, pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission office of the commissioner of tax appeals, respecting the signing of an order of dismissal as to any pending appeal settled by the department of revenue or the department of transportation without the approval of the commission office of the commissioner of tax appeals.

(am) Whenever it appears to the commission office of the commissioner of tax appeals or, in respect to hearings conducted by one commissioner, to that commissioner to a person assigned to hear a matter under this section that proceedings have been instituted or maintained by the taxpayer primarily for delay or that the taxpayer’s position in those proceedings is frivolous or groundless, the commission or commissioner office of the commissioner of tax appeals or the tax
appeals commissioner may assess the taxpayer an amount not to exceed $1,000 at
the same time that the deficiency is assessed. Those damages shall be paid upon
notice from the department of revenue and shall be collected as a part of the tax.

(b) Any matter required to be heard by the commission office of the
commissioner of tax appeals may be heard by any member of the commission or its
the tax appeals commissioner or by a hearing examiner and reported to the office of
the commissioner of tax appeals, and hearings of matters pending before it shall be
assigned to members of the commission or its the tax appeals commissioner or to a
hearing examiner by the chairperson tax appeals commissioner. Unless a majority
of the commission decides that the full commission should decide a case, cases other
than small claims cases shall be decided by a panel of 3 members assigned by the
chairperson prior to the hearing. If the parties have agreed to an oral decision, the
member or members person conducting the hearing may render an oral decision.
Hearings shall be open to the public and all proceedings shall be conducted in
accordance with rules of practice and procedure prescribed by the commission office
of the commissioner of tax appeals. Small claims cases shall be decided by one
commissioner the tax appeals commissioner or by a hearing examiner, as assigned
by the chairperson tax appeals commissioner prior to the hearing.

(bn) The parties to any matter required to be heard and decided by the
commission office of the commissioner of tax appeals, except appeals arising under
s. 70.64 or ch. 76, may consent in writing that the chairperson or any member of the
commission person assigned to hear the matter may render an oral decision, and that
the parties waive the right to appeal such decision. Such oral decision shall not be
binding upon the department, as to statutory construction, in a subsequent matter.
Provisions of this section, s. 73.015 or ch. 227 in conflict herewith shall not apply to decisions rendered under this paragraph.

(c) The commission office of the commissioner of tax appeals shall, upon the request of any party to a matter pending before it or of any officer of the state government or upon its own motion order that all proceedings in a matter pending before it be recorded, and the expense thereof shall be paid by the state out of the appropriation for the commission office of the commissioner of tax appeals. The commission office of the commissioner of tax appeals may supply copies of the transcript of those recordings to anyone requesting them, at the expense of the person making such request. All moneys received by the commission office of the commissioner of tax appeals from the sale of transcripts of those recordings shall be paid into the state treasury within one week after receipt. If no party to a matter pending before the commission office of the commissioner of tax appeals requests that the proceedings held with respect thereto be recorded, and the commission office of the commissioner of tax appeals does not so order upon its own motion, all parties shall be deemed to have waived all rights of appeal to the courts upon questions as to the admission or exclusion of evidence or as to whether a finding of the commission office of the commissioner of tax appeals is warranted by the evidence. The right of appeal upon questions of law raised by the pleadings or by facts stipulated or shown by the findings of the commission office of the commissioner of tax appeals is not waived.

(d) Any member of the commission The tax appeals commissioner or any employee of the commission office of the commissioner of tax appeals, designated in writing for the purpose by the chairperson tax appeals commissioner, may administer oaths, and any member of the commission the tax appeals commissioner
or any hearing examiner designated by the tax appeals commissioner may summon
and examine witnesses and require by subpoena the production of all returns, books,
papers, documents, correspondence and other evidence pertaining to the matter
under inquiry, at any designated place of hearing and may require the taking of a
deposition before any person competent to administer oaths, either within or without
the state, upon notice to the interested party in like manner that depositions of
witnesses are taken in civil actions pending in the circuit court. Any party to a matter
pending before the commission office of the commissioner of tax appeals may
summon witnesses or require the production of papers in the same manner as
witnesses are summoned or papers required to be produced in civil actions in the
circuit court. Any person summoned or whose deposition is taken shall receive the
same fees and mileage as would be allowed in a civil action pending in the circuit
court, and the expense thereof shall be paid by the person summoning such witness
or causing the deposition to be taken.

(dn) In connection with the hearing of any matter required to be heard and
decided by the commission office of the commissioner of tax appeals, except appeals
arising under s. 70.64 or ch. 76, the chairperson or any member of the commission
person assigned to hear the matter may, with the consent of the parties, render an
oral decision. In small claims cases, the presiding commissioner person assigned to
hear the matter may, without consent of the parties, either render an oral decision
at the close of the hearing or provide a written decision to all parties within 2 weeks
after the hearing. Decisions in small claims cases are not precedents. Any party may
appeal such oral decision as provided in s. 73.015. Oral decisions constitute notice
for purposes of determining the time in which appeals may be taken. Provisions of
this section or ch. 227 in conflict with this paragraph do not apply to decisions
rendered under this paragraph.

(e) Except as provided in par. (dn), the commission office of the commissioner
of tax appeals in each case heard by it shall, irrespective of ch. 227, make a decision
in writing accompanied by findings of fact and conclusions of law. The commission
office of the commissioner of tax appeals may issue an opinion in writing in addition
to its findings of fact and decision. The decision or order of the commission office of
the commissioner of tax appeals shall become final and shall be binding upon the
petitioner and upon the department of revenue for that case unless an appeal is
taken from the decision or order of the commission office of the commissioner of tax
appeals under s. 73.015. Except in respect to small claims decisions, if the
commission office of the commissioner of tax appeals construes a statute adversely
to the contention of the department of revenue:

1. Except for hearings on ss. 341.405 and 341.45 and except as provided in subd.
2., the department of revenue shall be deemed to acquiesce in the construction so
adopted unless the department of revenue seeks review of the order or decision of the
commission office of the commissioner of tax appeals so construing the statute. For
purposes of this subdivision, the department of revenue has sought review of the
order or decision if it seeks review and later settles the case or withdraws its petition
for review or if the merits of the case are for other reasons not determined by judicial
review. The construction so acquiesced in shall thereafter be followed by the
department of revenue.

2. Except for hearings on ss. 341.405 and 341.45, the department of revenue
may choose not to appeal and to nonacquiesce in the decision or order by sending a
notice of nonacquiescence to the clerk of the commission office of the commissioner
of tax appeals, to the revisor of statutes for publication in the Wisconsin administrative register and to the taxpayer or the taxpayer’s representative before the time expires for seeking a review of the decision or order under s. 73.015. The effect of this action is that, although the decision or order is binding on the parties for the instant case, the commission’s conclusions of law, the rationale, and the construction of statutes in the instant case, as determined by the office of the commissioner of tax appeals, are not binding upon or required to be followed by the department of revenue in other cases.

(f) All reports, findings, decisions and opinions of the commission office of the commissioner of tax appeals, and all evidence received by the commission office of the commissioner of tax appeals, including a transcript of any report of the proceedings, shall be open to the inspection of the public, except that the originals of books, documents, records, labels, diagrams, and other exhibits introduced in evidence before the commission office of the commissioner of tax appeals, may be withdrawn from the custody of the commission office of the commissioner of tax appeals in such manner and upon such terms as the commission office of the commissioner of tax appeals may, in its discretion, prescribe.

(g) The commission office of the commissioner of tax appeals shall, in manufacturing property redeterminations under s. 70.995 for which a refund is due a taxpayer because of a reduction in value by the commission office of the commissioner of tax appeals, include in its determination a finding of whether the reduction was due to false or incomplete information supplied by the taxpayer.

(h) The commission office of the commissioner of tax appeals may extend any of its deadlines for persons designated in section 7508 (a) of the internal revenue code for the length of time specified in that section.
(i) If the department of revenue assesses under s. 71.74 (9), the commission office of the commissioner of tax appeals shall consolidate the appeals of that assessment.

SECTION 1615. 73.01 (4m) of the statutes is amended to read:

73.01 (4m) Deadline for decisions. (a) The final decision or order of the commission office of the commissioner of tax appeals shall be issued within 90 days after the date on which the last document necessary to the decision of the matter is received or the date on which a hearing is closed, whichever is later, unless good cause is shown or unless the parties and the commission office of the commissioner of tax appeals agree to an extension.

(b) No member of the commission, including the chairperson, or its hearing examiner, including the tax appeals commissioner, may receive any salary unless he or she first executes an affidavit at the end of each salary period stating that he or she has complied with the deadlines in par. (a). The affidavit shall be presented to and filed with every official who certifies, in whole or in part, the salary.

(c) If a member of the commission, including the chairperson, or its hearing examiner or the tax appeals commissioner is unable to comply with the deadline under par. (a), that person shall so certify in the record, and the period is then extended for one additional period not to exceed 90 days.

SECTION 1616. 73.01 (5) of the statutes is amended to read:

73.01 (5) Appeals to commission the office of the commissioner of tax appeals. (a) Any person who is aggrieved by a determination of the state board of assessors under s. 70.995 (8) or who has filed a petition for redetermination with the department of revenue and who is aggrieved by the redetermination of the department of revenue may, within 60 days of the determination of the state board
of assessors or of the department of revenue or, in all other cases, within 60 days after
the redetermination but not thereafter, file with the clerk of the commission office
of the commissioner of tax appeals a petition for review of the action of the
department of revenue and the number of copies of the petition required by rule
adopted by the commission office of the commissioner of tax appeals. Any person who
is aggrieved by a determination of the department of transportation under s. 341.405
or 341.45 may, within 30 days after the determination of the department of
transportation, file with the clerk of the commission office of the commissioner of tax
appeals a petition for review of the action of the department of transportation and
the number of copies of the petition required by rule adopted by the commission office
of the commissioner of tax appeals. If a municipality appeals, its appeal shall set
forth that the appeal has been authorized by an order or resolution of its governing
body and the appeal shall be verified by a member of that governing body as
pleadings in courts of record are verified. The clerk of the commission office of the
commissioner of tax appeals shall transmit one copy to the department of revenue,
or to the department of transportation, and to each party. In the case of appeals from
manufacturing property assessments, the person assessed shall be a party to a
proceeding initiated by a municipality. At the time of filing the petition, the
petitioner shall pay to the commission office of the commissioner of tax appeals a $25
filing fee. The commission office of the commissioner of tax appeals shall deposit the
fee in the general fund. Within 30 days after such transmission the department of
revenue, except for petitions objecting to manufacturing property assessments, or
the department of transportation, shall file with the clerk of the commission office
of the commissioner of tax appeals an original and the number of copies of an answer
to the petition required by rule adopted by the commission office of the commissioner
of tax appeals and shall serve one copy on the petitioner or the petitioner’s attorney
or agent. Within 30 days after service of the answer, the petitioner may file and serve
a reply in the same manner as the petition is filed. Any person entitled to be heard
by the commission office of the commissioner of tax appeals under s. 76.38 (12) (a),
1993 stats., or s. 76.39 (4) (c), 76.48, or 76.91 may file a petition with the commission
office of the commissioner of tax appeals within the time and in the manner provided
for the filing of petitions in income or franchise tax cases. Such papers may be served
as a circuit court summons is served or by certified mail. For the purposes of this
subsection, a petition for review is considered timely filed if mailed by certified mail
in a properly addressed envelope, with postage duly prepaid, which envelope is
postmarked before midnight of the last day for filing.

(b) The petition shall set forth specifically the facts upon which the petitioner
relies, together with a statement of the propositions of law involved, and shall be in
such form as the commission office of the commissioner of tax appeals by rule
designates. After an answer is filed as provided in par. (a), the matter shall be
regarded as at issue and the commission office of the commissioner of tax appeals
shall set it for hearing. At all times while said appeal is pending before the
commission office of the commissioner of tax appeals, the petitioner shall keep the
commission office of the commissioner of tax appeals informed as to the petitioner’s
residence. Upon the petitioner’s failure to do so, the mailing by the commission office
of the commissioner of tax appeals of a notice of hearing, decision and order or other
papers by registered mail to the petitioner’s attorney or to the petitioner’s
last-known address shall constitute good and sufficient service. Petitions and
answers may be amended under rules to be prescribed by the commission office of
the commissioner of tax appeals.
SECTION 1617. 73.015 (title) of the statutes is amended to read:

73.015 (title) Review of determination of the office of the commissioner of tax appeals commission.

SECTION 1618. 73.015 (1) of the statutes is amended to read:

73.015 (1) This section shall provide the sole and exclusive remedy for review of any decision or order of the office of the commissioner of tax appeals commission and no person may contest, in any action or proceeding, any matter reviewable by the commission office of the commissioner of tax appeals unless such person has first availed himself or herself of a hearing before the commission office of the commissioner of tax appeals under s. 73.01 or has cross–appealed under s. 70.995 (8) (a).

SECTION 1619. 73.015 (2) of the statutes is amended to read:

73.015 (2) Any adverse determination of the office of the commissioner of tax appeals commission is subject to review in the manner provided in ch. 227. If the circuit court construes a statute adversely to the contention of the department of revenue, the department shall be deemed to acquiesce in the construction so adopted unless an appeal to the court of appeals is taken, and the construction so acquiesced in shall thereafter be followed by the department.

SECTION 1620. 73.03 (2a) of the statutes is amended to read:

73.03 (2a) To prepare, have published and distribute to each property tax assessor and to others who so request assessment manuals. The manual shall discuss and illustrate accepted assessment methods, techniques and practices with a view to more nearly uniform and more consistent assessments of property at the local level. The manual shall be amended by the department from time to time to reflect advances in the science of assessment, court decisions concerning assessment
practices, costs, and statistical and other information considered valuable to local
assessors by the department. The manual shall incorporate standards for the
assessment of all types of renewable energy resource systems used in this state as
soon as such systems are used in sufficient numbers and sufficient data exists to
allow the formulation of valid guidelines. The manual shall incorporate standards,
which the department of revenue and the state historical society of Wisconsin shall
develop, for the assessment of nonhistoric property in historic districts and for the
assessment of historic property, including but not limited to property that is being
preserved or restored; property that is subject to a protective easement, covenant or
other restriction for historic preservation purposes; property that is listed in the
national register of historic places in Wisconsin or in this state’s register of historic
places and property that is designated as a historic landmark and is subject to
restrictions imposed by a municipality or by a landmarks commission. The manual
shall incorporate general guidelines about ways to determine whether property is
taxable in part under s. 70.1105 and examples of the ways that s. 70.1105 applies in
specific situations. **The manual shall establish standards and procedures for the
assessment of manufacturing property under s. 70.995.** The manual shall state that
assessors are required to comply with s. 70.32 (1g) and shall suggest procedures for
doing so. The manual or a supplement to it shall specify per acre value guidelines
for each municipality for various categories of agricultural land based on the income
that could be generated from its estimated rental for agricultural use, as defined by
rule, and capitalization rates established by rule. The manual shall include
guidelines for classifying land as agricultural land, as defined in s. 70.32 (2) (c) 1. and
guidelines for distinguishing between land and improvements to land. The cost of
the development, preparation, publication and distribution of the manual and of
revisions and amendments to it shall be borne by the assessors and requesters at an
individual volume cost or a subscription cost as determined by the department. All
receipts shall be credited to the appropriation under s. 20.566 (2) (hi). The
department may provide free assessment manuals to other state agencies or
exchange them at no cost with agencies of other states or of the federal government
for similar information or publications.

SECTION 1621. 73.03 (6) of the statutes is amended to read:

73.03 (6) In its discretion to inspect and examine or cause an inspection and
examination of the records of any town, city, village, or county officer whenever such
officer shall have failed or neglected to return properly the information as required
by sub. (5), within the time set by the department of revenue. Upon the completion
of such inspection and examination the department of revenue shall transmit to the
clerk of the town, city, village, or county a statement of the expenses incurred by the
department of revenue to secure the necessary information. Duplicates of such
statements shall be filed in the office of the department secretary of administration
and state treasurer. Within 60 days after the receipt of the above statement, the
same shall be audited, as other claims of towns, cities, villages, and counties are
audited, and shall be paid into the state treasury, in default of which the same shall
become a special charge against such town, city, village, or county and be included
in the next apportionment or certification of state taxes and charges, and collected
with interest at the rate of 10% per year from the date such statements were certified
by the department, as other special charges are certified and collected.

SECTION 1622. 73.03 (22) of the statutes is amended to read:

73.03 (22) To appear by its counsel and represent the state in all matters before
the office of the commissioner of tax appeals commission. Except as provided in ch.
92 and in s. 76.08 (1), the department of justice shall provide legal counsel to appear for the department in all courts, but with the consent of the attorney general a member of the staff of the department may appear for the department.

**SECTION 1623.** 73.03 (25) of the statutes is amended to read:

73.03 (25) To settle and dispose of tax cases or issues pending before the office of the commissioner of tax appeals commission when, in the judgment of the department of revenue, such action is warranted in the best interests of the state; and, with the approval of the attorney general, to settle and dispose of tax cases or issues pending in the courts.

**SECTION 1624.** 73.04 (1) of the statutes is amended to read:

73.04 (1) CONTEMPTS. If any person unlawfully fails to obey any subpoena to appear before the department of revenue or before the office of the commissioner of tax appeals commission, or unlawfully refuses to testify, such failure or refusal shall be reported to the attorney general and the department of justice shall institute contempt proceedings against such person.

**SECTION 1625.** 73.07 (3) of the statutes is amended to read:

73.07 (3) The county board of any county shall provide rooms for the use of the office of the commissioner of tax appeals commission upon the request of the chairperson of the commission tax appeals commissioner. Hearings of the commission office of the commissioner of tax appeals may also be held in the department’s district income tax office when the chairperson of the commission tax appeals commissioner deems it advisable.

**SECTION 1626.** 73.09 (2) of the statutes is amended to read:

73.09 (2) DEPARTMENT OF REVENUE ASSESSMENT PERSONNEL. The requirements established for local assessment personnel under sub. (1) shall also apply to
department of revenue assessment personnel commencing on January 1, 1981. The department of employment relations administration with the assistance of the department of revenue shall determine the position classifications for which certification shall apply within the department of revenue. The first level of certification shall be obtained within 100 days of the employee’s appointment. The department of revenue in consultation with the department of employment relations administration shall establish requirements for obtaining higher levels of assessor certification.

**SECTION 1627.** 73.09 (5) of the statutes is amended to read:

73.09 (5) EXAMINATIONS. As provided in subs. (1) and (2), the department of revenue, assisted by the division of merit recruitment and selection in the department of employment relations administration, shall prepare and administer examinations for each level of certification. Persons applying for an examination under this subsection shall submit a $20 examination fee with their application. Certification shall be granted to each person who passes the examination for that level.

**SECTION 1628.** 73.10 (6) of the statutes is amended to read:

73.10 (6) The department may establish a scale of charges for audits, inspections, and other services rendered by the department in connection with financial records or procedures of towns, villages, cities, counties, and all other local public bodies, boards, commissions, departments, or agencies. Upon the completion of such work or, at the department’s discretion, during work in progress, the department shall transmit to the clerk of the town, village, city, county, or other local public body, board, commission, department, or agency a statement of such charges. Duplicates of the statements shall be filed in the office of the state treasurer.
secretary of administration. Within 60 days after the receipt of the above statement of charges, it shall be audited as other claims against towns, villages, cities, counties, and other local public bodies, boards, commissions, departments, or agencies are audited, and it shall be paid into the state treasury and credited to the appropriation under s. 20.566 (2) (gi). Past due accounts of towns, villages, cities, counties, and all other local public bodies, boards, commissions, departments, or agencies shall be certified on or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

**SECTION 1629.** 74.25 (1) (a) 5. of the statutes is amended to read:

74.25 (1) (a) 5. Pay to the state treasurer secretary of administration all collections of occupational taxes on mink farms, 30% of collections of occupational taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal docks.

**SECTION 1630.** 74.27 of the statutes is amended to read:

**74.27 March settlement between counties and the state.** On or before March 15, the county treasurer shall send to the state treasurer secretary of administration the state’s proportionate shares of taxes under ss. 74.23 (1) (b) and 74.25 (1) (b) 1. and 2.

**SECTION 1631.** 74.30 (1) (e) of the statutes is amended to read:

74.30 (1) (e) Pay to the state treasurer secretary of administration all collections of occupational taxes on mink farms, 30% of collections of occupational taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal docks.

**SECTION 1632.** 74.30 (1m) of the statutes is amended to read:
74.30 (1m) MARCH SETTLEMENT BETWEEN COUNTIES AND THE STATE. On or before March 15, the county treasurer shall send to the state treasurer secretary of administration the state’s proportionate shares of taxes under sub. (1) (i) and (j).

SECTION 1633. 75.106 (1) (a) of the statutes is amended to read:

75.106 (1) (a) “Brownfield” has the meaning given in s. 560.13 (1) (a) means an abandoned, idle, or underused industrial or commercial facility or site the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

SECTION 1634. 76.13 (2) of the statutes is amended to read:

76.13 (2) Every tax roll upon completion shall be delivered to the state treasurer and a copy of the tax roll filed with the secretary of administration. The department shall notify, by certified mail, all companies listed on the tax roll of the amount of tax due, which shall be paid to the department. The payment dates provided for in sub. (2a) shall apply. The payment of one-fourth of the tax of any company may, if the company has brought an action in the Dane County circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which the appeal becomes final, but any part of the tax ultimately required to be paid shall bear interest from the original due date to the date the appeal became final at the rate of 12% per year and at 1.5% per month thereafter until paid. The taxes extended against any company after the same become due, with interest, shall be a lien upon all the property of the company prior to all other liens, claims, and demands whatsoever, except as provided in ss. 292.31 (8) (i) and 292.81, which lien may be enforced in an action in the name of the state in any court of competent jurisdiction against the property of the company within the state as an entirety.
Section 1635. 76.13 (3) of the statutes is amended to read:

76.13 (3) If the Dane County circuit court, after such roll is delivered to the state treasurer secretary of administration, increases or decreases the assessment of any company, the department shall immediately redetermine the tax of the company on the basis of the revised assessment, and shall certify and deliver the revised assessment to the state treasurer secretary of administration as a revision of the tax roll. If the amount of tax upon the assessment as determined by the court is less than the amount paid by the company, the excess shall be refunded by the secretary of administration shall refund the excess to the company with interest at the rate of 9% per year upon the certification of the redetermined tax and for that purpose the secretary of administration, upon the certification and delivery of the revised tax roll, shall draw a warrant upon the state treasurer for the amount to be so refunded. If the amount of the tax upon the assessment as determined by the court is in excess of the amount of the tax as determined by the department, interest shall be paid on the additional amount at the rate of 12% per year from the date of entry of judgment to the date the judgment becomes final, and at 1.5% per month thereafter until paid.

Section 1636. 76.15 (2) of the statutes is amended to read:

76.15 (2) The power to reassess the property of any company defined in s. 76.02 and the general property of the state, and to redetermine the average rate of taxation, may be exercised under sub. (1) as often as may be necessary until the amount of taxes legally due from any such company for any year under ss. 76.01 to 76.26 has been finally and definitely determined. Whenever any sum or part thereof, levied upon any property subject to taxation under ss. 76.01 to 76.26 so set aside has been paid and not refunded, the payment so made shall be applied upon the reassessment upon the property, and the reassessment of taxes to that extent shall
be deemed to be satisfied. When the tax roll on the reassessment is completed and
delivered to the state treasurer secretary of administration, the department shall
immediately notify by certified mail each of the several companies taxed to pay the
amount of the taxes extended on the tax roll within 30 days.

SECTION 1637. 76.22 (3) of the statutes is amended to read:

76.22 (3) The state treasurer secretary of administration for and in the name
of the state may bid at the sale and the state may become the purchaser of the
property of any such company under a judgment for its sale for taxes, interest, and
costs.

SECTION 1638. 76.24 (1) of the statutes is amended to read:

76.24 (1) All taxes collected from companies defined in s. 76.02 under this
subchapter shall be transmitted by the department to the state treasurer secretary
of administration and become a part of the general fund for the use of the state,
except that taxes paid into the state treasury by any air carrier or railroad company
shall be deposited in the transportation fund.

SECTION 1639. 76.28 (4) (a) of the statutes is amended to read:

76.28 (4) (a) If after filing the reports specified in sub. (7) and after the
department’s computation and assessment of license fees under sub. (2) it is
determined that the amount of gross revenues reported is in error, the department
shall compute the additional license fee to be paid or the amount of the overpayment
of license fee to be refunded, as the case may be. If an additional license fee is due,
the department shall give notice to the light, heat and power company against whom
the license fee is to be levied. All such additional assessments and claims for refunds
for excess license fees paid are subject to the same procedure for review and final
determination as additional income or franchise tax assessments and claims for
refunds under ch. 71 as far as the same may be applicable, except that appeals of
denials of claims for refunds shall be made directly to the office of the commissioner
of tax appeals commission and except that the additional license fees shall become
delinquent 60 days after notice provided in this subsection or, if review proceedings
are held, 60 days following final determination of the review proceedings. All
additional license fees shall bear interest at the rate of 12% per year from the time
they should have been paid to the date on which the additional fees shall become
delinquent if unpaid.

**SECTION 1640.** 76.28 (4) (b) of the statutes is amended to read:

76.28 (4) (b) In the case of overpayments of license fees by any light, heat and
power company under par. (a), the department shall certify the overpayments to the
department of administration, which shall audit the amount of the overpayments
and the state treasurer secretary of administration shall pay the amounts
determined by means of the audit. All refunds of license fees under this subsection
shall bear interest at the annual rate of 9% from the date of the original payment to
the date when the refund is made. The time for making additional levies of license
fees or claims for refunds of excess license fees paid, in respect to any year, shall be
limited to 4 years after the time the report for such year was filed.

**SECTION 1641.** 76.39 (4) (c) of the statutes is amended to read:

76.39 (4) (c) All additional assessments and claims for refund shall be subject
to the same procedure for review and final determination as is provided with respect
to additional assessments and refunds of income or franchise taxes in chs. 71 and 73,
except that appeals of denials of claims for refunds shall be made directly to the office
of the commissioner of tax appeals commission and except as the same may conflict
with this section. Delinquent taxes shall be subject to interest at the rate of 1.5% per
month until paid.

**SECTION 1642.** 76.39 (4) (d) of the statutes is amended to read:

76.39 (4) (d) All refunds shall be certified by the department to the department
of administration which shall audit the amount of the refunds and the state
treasurer secretary of administration shall pay the amount, together with interest
at the rate of 9% per year from the date payment was made. All additional taxes shall
bear interest at the rate of 12% per year from the time they should have been paid
to the date upon which the additional taxes shall become delinquent if unpaid.

**SECTION 1643.** 76.48 (3) of the statutes is amended to read:

76.48 (3) On or before May 1 in each year, the department of revenue shall
compute and assess the license fees provided for in sub. (1r) and certify the amounts
due to the state treasurer and file a duplicate thereof with the department secretary
of administration. The department shall notify each electric cooperative of the
amount of the license fees so assessed. The fees shall become delinquent if not paid
when due and when delinquent shall be subject to interest at the rate of 1.5% per
month on the amount of license fee until paid. The interest shall be collected by the
department and, upon collection, forwarded to the state treasurer secretary of
administration and retained by the state. The payment dates provided for in sub.
(3a) shall apply.

**SECTION 1644.** 76.48 (5) of the statutes is amended to read:

76.48 (5) Additional assessments may be made, if notice of such assessment is
given, within 4 years of the date the annual return was filed, but if no return was
filed, or if the return filed was incorrect and was filed with intent to defeat or evade
the tax, an additional assessment may be made at any time upon the discovery of
Section 1644

Gross revenues by the department. Refunds may be made if a claim for the refund is filed in writing with the department within 4 years of the date the annual return was filed. Refunds shall bear interest at the rate of 9% per year and shall be certified by the department to the secretary of administration who shall audit the amounts of such overpayments and the state treasurer shall pay the amount audited. Additional assessments shall bear interest at the rate of 12% per year from the time they should have been paid to the date upon which they shall become delinquent if unpaid.

Section 1645. 76.48 (6) of the statutes is amended to read:

76.48 (6) All additional assessments and claims for refund shall be subject to the same procedure for review and final determination as is provided with respect to additional assessments and refunds of income or franchise taxes under chs. 71 and 73, except that appeals of denials of claims for refunds shall be made directly to the office of the commissioner of tax appeals commission and except as such procedure conflicts with this section.

Section 1646. 76.82 of the statutes is amended to read:

76.82 Assessment. The department, using the methods that it uses used to assess property under s. 70.995, shall assess the property that is taxable under s. 76.81, including property that is exempt under s. 70.11 (27) from the tax under ch. 70, at its value as of January 1.

Section 1647. 77.14 of the statutes is amended to read:

77.14 Forest croplands information, protection, appropriation. The department of natural resources shall publish and distribute information regarding the method of taxation of forest croplands under this subchapter, and may employ a fire warden in charge of fire prevention in forest croplands. All actual and
necessary expenses incurred by the department of natural resources or by the
department of revenue in the performance of their duties under this subchapter shall
be paid from the appropriation made in s. 20.370 (1) (mv) upon certification by
the department incurring such expenses.

SECTION 1648. 77.59 (6) (b) of the statutes is amended to read:

77.59 (6) (b) Appeals from the department’s redeterminations shall be
governed by the statutes applicable to income or franchise tax appeals but all appeals
from decisions of the office of the commissioner of tax appeals commission with
respect to the taxes imposed by this subchapter shall be appealed to the circuit court
for Dane County.

SECTION 1649. 77.59 (7) of the statutes is amended to read:

77.59 (7) If the department believes that the collection of any tax imposed by
this subchapter will be jeopardized by delay, it shall notify the person determined to
owe the tax of its intention to proceed under s. 71.91 (5) for collection of the amount
determined to be owing, including penalties and interest. Such notice shall be by
certified or registered mail or by personal service and the warrant of the department
shall not issue if the person, within 10 days after such notice furnishes a bond in such
amount not exceeding double the amount determined to be owing and with such
sureties as the department approves, conditioned upon the payment of so much of
the taxes, interest, and penalties as shall finally be determined to be due. Nothing
in this subsection shall affect the review of determinations of tax as provided in this
subchapter and any amounts collected under this subsection shall be deposited with
the state treasurer secretary of administration and disbursed after final
determination of the taxes as are amounts deposited under ss. 71.89 (1) and 71.90
(2).
SECTION 1650. 77.60 (2) (c) of the statutes is amended to read:

77.60 (2) (c) In the case of deficiency determinations, on or before the due date specified in the notice of deficiency, except that if the determination is contested before the office of the commissioner of tax appeals commission or in the courts, on or before the 30th day following the date on which the order or judgment representing the final determination becomes final.

SECTION 1651. 77.66 of the statutes is created to read:

77.66  Refusal to collect taxes; certification. The secretary of revenue shall determine and periodically certify to the secretary of administration the names of persons, and affiliates, as defined in s. 16.70 (1b), of persons, who refuse to collect and remit the taxes imposed under ss. 77.52 and 77.53 on their sales delivered to this state.

SECTION 1652. 77.91 (4) of the statutes is amended to read:

77.91 (4) EXPENSES. Except as provided in sub. (5), the department’s expenses for the administration of this subchapter shall be paid from the appropriation under s. 20.370 (1) (mu) (mv).

SECTION 1653. 77.91 (5) of the statutes is amended to read:

77.91 (5) RECORDING. Each register of deeds who receives notice of an order under this subchapter shall record the action as provided under s. 59.43 (1). The department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1. from the appropriation under s. 20.370 (1) (cr). If the amount in the appropriation under s. 20.370 (1) (cr) in any fiscal year is insufficient to pay the full amount required under this subsection in that fiscal year, the department shall pay the balance from the appropriation under s. 20.370 (1) (mu) (mv).

SECTION 1654. 79.015 of the statutes is amended to read:
79.015 Statement of estimated payments. The department of revenue, on or before September 15 of each year, shall provide to each municipality and county a statement of estimated payments to be made in the next calendar year to the municipality or county under ss. 79.03, 79.035, 79.036, 79.04, 79.05, 79.058, and 79.06.

SECTION 1655. 79.02 (2) (b) of the statutes is amended to read:

79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the municipality’s or county’s estimated payments under ss. 79.03, 79.035, 79.036, 79.04, 79.05, 79.058, and 79.06 and 100% of the municipality’s estimated payments under s. 79.05.

SECTION 1656. 79.02 (3) of the statutes is amended to read:

79.02 (3) (a) Subject to s. 59.605 (4), payments to each municipality and county in November shall equal that municipality’s or county’s entitlement to shared revenues under ss. 79.03, 79.035, 79.036, 79.04, 79.05, 79.058, and 79.06 for the current year, minus the amount distributed to the municipality or county in July.

(b) In November 2002, the amount of the payments to each municipality and county under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 to be paid from the appropriation account under s. 20.855 (4) (rb) shall be the amount of such payments to the municipality or county multiplied by the quotient of an amount equal to the moneys available, as determined by the department of administration, from the appropriation account under s. 20.855 (4) (rb) divided by $826,068,930.

SECTION 1657. 79.02 (3) (c) of the statutes is created to read:

79.02 (3) (c) In November 2003, the total amount of the payments to each municipality and county under ss. 79.03, 79.04, and 79.06 to be paid from the appropriation account under s. 20.835 (1) (t) shall equal $230,000,000 and shall be applied to the payments in the manner determined by the department of revenue.
Section 1658. 79.02 (3) (d) of the statutes is created to read:

79.02 (3) (d) 1. In November 2004, the total amount of the payments to each municipality and county under s. 79.035 to be paid from the appropriation account under s. 20.835 (1) (t) shall equal $170,000,000 and shall be applied to the payments in the manner determined by the department of revenue.

2. In November 2004, the total amount of the payments to each municipality and county under s. 79.035 to be paid from the appropriation account under s. 20.835 (1) (u) shall equal $20,000,000 and shall be applied to the payments in the manner determined by the department of revenue.

Section 1659. 79.03 (3) (a) of the statutes is amended to read:

79.03 (3) (a) The amount in the shared revenue account for municipalities and the amount in the shared revenue account for counties, less the payments under sub. (2) and s. 79.04, and, for the distribution in 2003, the amount appropriated under s. 20.835 (1) (t), shall be allocated to each municipality and county respectively in proportion to its entitlement. In this paragraph, “entitlement” means the product of aidable revenues and tax base weight.

Section 1660. 79.03 (4) of the statutes is amended to read:

79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is $869,000,000. In 1992, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is $885,961,300. In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is $903,680,500. In 1994, the total amounts to be distributed under this section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are $746,547,500 to municipalities and $168,981,800 to counties. Beginning in 1995 and ending in 2001, the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835
(1) (d) are $761,478,000 to municipalities and $168,981,800 to counties. In 2002, the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from ss. 20.835 (1) (d) and 20.855 (4) (rb) are $769,092,800 to municipalities and $170,671,600 to counties. In 2003, the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) and (t) are $776,783,700 to municipalities, less the reductions under s. 79.034, and $172,378,300 to counties, less the reductions under s. 79.034.

SECTION 1661. 79.034 of the statutes is created to read:

79.034 Reductions. In 2003, after the total amount of the payments to each county and municipality under ss. 79.03, 79.04, 79.058, and 79.06 has been determined, the department of revenue shall reduce the total amount of such payments to each county and municipality by subtracting from such payments an amount based on the county’s or municipality’s population, as determined by the department, so that the total amount of the reduction to all such payments in 2003 is $10,000,000, except that the reduction applied to any county’s or municipality’s payments shall not exceed the amount of the payments distributed to the county or municipality under ss. 79.03, 79.04, 79.058, and 79.06 in 2003.

SECTION 1662. 79.035 (1) of the statutes is amended to read:

79.035 (1) Subject to reductions under s. 79.036 (3), in 2004 and subsequent years, each county and municipality shall receive a payment from the county and municipal aid account and, for distributions in 2004, from the appropriation accounts under s. 20.835 (1) (t) and (u) in an amount determined under sub. (2).

SECTION 1663. 79.035 (2) (a) 1. of the statutes is amended to read:

79.035 (2) (a) 1. For the distribution in 2004, each county and municipality will receive a payment that is equal to the amount of the payments the county or
municipality would have received in 2003 under ss. 79.03, 79.058, and 79.06, if not for the reductions under s. 79.034, less the amount of the reduction under subd. 2. and, for a municipality, the reduction under subd. 3.

**Section 1664.** 79.035 (2) (a) 2. of the statutes is amended to read:

79.035 (2) (a) 2. The department of revenue shall reduce the amount of the payments to be distributed to each county and municipality, as determined under subd. 1., by subtracting from such payments an amount based on the county’s or municipality’s population, as determined by the department, so that the total amount of the reduction to all such payments in 2004 is $40,000,000 $50,000,000, except that the reduction applied to any county’s or municipality’s payment shall not exceed the amount of the payments specified under subd. 1. distributed to the county or municipality in 2003.

**Section 1665.** 79.035 (2) (a) 3. of the statutes is created to read:

79.035 (2) (a) 3. After the reduction under subd. 2., the department of revenue shall reduce the amount of the payments to be distributed to each municipality, as determined under subd. 2., by subtracting from such payments an amount based on the municipality’s population, as determined by the department, so that the total amount of the reduction to all such payments in 2004 is $70,000,000, except that the reduction applied to any municipality’s payment shall not exceed the amount of the payments specified under subd. 1. distributed to the municipality in 2003.

**Section 1666.** 79.035 (2) (b) of the statutes is amended to read:

79.035 (2) (b) For the distribution in 2005 and subsequent years, each county and municipality shall receive a payment under this section that is equal to the amount of the payment determined for the county or municipality under par. (a) in 2004 prior to the reductions under s. 79.036.
SECTION 1667. 79.036 of the statutes is repealed.

SECTION 1668. 79.04 (1) (a) of the statutes is amended to read:

An amount from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t) determined by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village, the first $125,000,000 of the amount shown in the account, plus leased property, of each public utility except qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for either "production plant, exclusive of land" and "general structures", or "work in progress" for production plants and general structures under construction, in the case of light, heat and power companies, electric cooperatives or municipal electric companies, for all property within a municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by the department of revenue plus an amount from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t) determined by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village, of the first $125,000,000 of the total original cost of production plant, general structures and work-in-progress less depreciation, land and approved waste treatment facilities of each qualified wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property within the municipality. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than
$125,000,000. The amount distributable to a municipality in any year shall not exceed $300 times the population of the municipality.

**SECTION 1669.** 79.04 (2) (a) of the statutes is amended to read:

79.04 (2) (a) Annually, the department of administration, upon certification by the department of revenue, shall distribute from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t) to any county having within its boundaries a production plant or a general structure, including production plants and general structures under construction, used by a light, heat or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the production plant is owned or operated by a local governmental unit that is located outside of the municipality in which the production plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825 an amount determined by multiplying by 6 mills in the case of property in a town and by 3 mills in the case of property in a city or village the first $125,000,000 of the amount shown in the account, plus leased property, of each public utility except qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for either “production plant, exclusive of land” and “general structures”, or “work in progress” for production plants and general structures under construction, in the case of light, heat and power companies, electric cooperatives or municipal electric companies, for all property within the municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by the
dePARTMENT OF REVENUE PLUS AN AMOUNT FROM THE SHARED REVENUE ACCOUNT OR, FOR THE
DISTRIBUTION IN 2003, FROM THE APPROPRIATION UNDER S. 20.835 (1) (t) DETERMINED BY
MULTIPLYING BY 6 MILLS IN THE CASE OF PROPERTY IN A TOWN, AND 3 MILLS IN THE CASE OF
PROPERTY IN A CITY OR VILLAGE, OF THE TOTAL ORIGINAL COST OF PRODUCTION PLANT, GENERAL
STRUCTURES AND WORK-IN-PROGRESS LESS DEPRECIATION, LAND AND APPROVED WASTE
TREATMENT FACILITIES OF EACH QUALIFIED WHOLESALE ELECTRIC COMPANY, AS DEFINED IN S.
76.28 (1) (gm), AS REPORTED TO THE DEPARTMENT OF REVENUE OF ALL PROPERTY WITHIN THE
MUNICIPALITY. THE TOTAL OF AMOUNTS, AS DEPRECIATED, FROM THE ACCOUNTS OF ALL PUBLIC
UTILITIES FOR THE SAME PRODUCTION PLANT IS ALSO LIMITED TO NOT MORE THAN $125,000,000.
THE AMOUNT DISTRIBUTABLE TO A COUNTY IN ANY YEAR SHALL NOT EXCEED $100 TIMES THE
POPULATION OF THE COUNTY.

SECTION 1670. 79.058 (3) (e) OF THE STATUTES IS AMENDED TO READ:

79.058 (3) (e) IN 2003, $21,181,100, LESS THE REDUCTIONS UNDER S. 79.034.

SECTION 1671. 84.013 (2) (b) OF THE STATUTES IS AMENDED TO READ:

84.013 (2) (b) EXCEPT AS PROVIDED IN SS. 84.014, 84.03 (3), AND 84.555, AND
SUBJECT TO S. 86.255, RECONDITIONING, RECONSTRUCTION AND RESURFACING OF HIGHWAYS SHALL
BE FUNDED FROM THE APPROPRIATIONS UNDER S. 20.395 (3) (cq) TO (cx) AND (4) (jq).

SECTION 1672. 84.014 (2) OF THE STATUTES IS AMENDED TO READ:

84.014 (2) SUBJECT TO SS. 84.555 AND 86.255, ANY SOUTHEAST WISCONSIN FREeways
REHABILITATION PROJECTS, INCLUDING THE MARQUETTE INTERCHANGE RECONSTRUCTION PROJECT
AND PROJECTS THAT INVOLVE ADDING ONE OR MORE LANES 5 MILES OR MORE IN LENGTH TO THE
EXISTING FREeway, MAY BE FUNDED ONLY FROM THE APPROPRIATIONS UNDER SS. 20.395 (3)
(cR), (cw), AND (cy) AND (4) (jq) AND 20.866 (2) (uum).

SECTION 1673. 84.014 (5m) (a) OF THE STATUTES IS AMENDED TO READ:
84.014 (5m) (a) Notwithstanding any other provision of this section, the department may not expend any moneys from the appropriations under s. 20.395 (3) (cr), (cw), and (cy) and (4) (jr) for a southeast Wisconsin freeway rehabilitation project that involves adding one or more lanes 5 miles or more in length to the existing freeway unless the project is specifically enumerated in a list under par. (b).

SECTION 1674. 84.03 (3) (title), (a) and (b) of the statutes are amended to read:

84.03 (3) (title) West Canal Street reconstruction and extension project.

(a) Subject to par. (b), the department shall, from the appropriations under s. 20.395 (3) (cr) and (cy), award a grant of $5,000,000 from the amounts allocated for the Marquette interchange reconstruction project under 2001 Wisconsin Act 16, section 9152 (5w), shall award a grant of $2,500,000 under s. 86.31 (3s), and shall award grants totaling $2,500,000 from the appropriation under s. 20.395 (3) (ck), to the city of Milwaukee for reconstruction of West Canal Street and extension of West Canal Street to USH 41 at Miller Park in the city of Milwaukee to serve as a transportation corridor for the purpose of mitigating traffic associated with the reconstruction of the Marquette interchange.

(b) No grant may be awarded under par. (a) or s. 86.31 (3s) unless the city of Milwaukee contributes $10,000,000 toward the West Canal Street reconstruction and extension project.

SECTION 1675. 84.04 (3) of the statutes is repealed.

SECTION 1676. 84.05 of the statutes is amended to read:

84.05 Railroad crossing improvements. On a highway which the department has authority to construct and which crosses a railroad, if the department determines that the construction or reconstruction of a grade separation or the rearrangement or elimination of a grade crossing or other rearrangement of
the highway or tracks is necessary in the interest of public safety or for convenience of public travel, the department shall make a plan of the construction proposed and an estimate of the cost thereof, including the cost of needed right-of-way; and shall endeavor to make an arrangement with all persons concerned as to all matters involved in the plan, including the portion of the cost of the contemplated work which the persons shall defray. If the department is unable to contract with the persons concerned as to the distribution and payment of the cost of the work or the maintenance thereof, the department shall lay the matter before the office of the commissioner of railroads, and the office of the commissioner of railroads shall review the proceedings and hold a hearing thereon in accordance with ss. 195.28 and 195.29, and shall fix the portion of the cost of the construction and of the maintenance which is to be paid by the persons or corporations concerned, and the portion of the cost, if any, to be paid by the public, which portion shall be paid from the transportation fund, and issue an appropriate order. The office of the commissioner of railroads department shall determine the benefits, if any, which will inure to other highways, and apportion and charge to the units of government responsible for the construction of such other highways a fair portion of the cost. The department shall promulgate a rule establishing criteria with respect to the allocation of costs under this section. A person who is aggrieved by an order of the department under this section may, within 20 days after the date that the order is issued, request review of the order by the division of hearings and appeals. The division of hearings and appeals shall review the order in the manner provided in s. 195.325.

SECTION 1676. 84.06 (1) of the statutes is amended to read:

84.06 (1) DEFINITIONS. In this section, “improvement” or “highway improvement” includes construction, reconstruction, rehabilitation, and processes
incidental to building, fabricating, or bettering a highway or street, but not
maintenance. The terms do not include the installation, replacement, rehabilitation,
or maintenance of highway signs, traffic control signals, highway lighting, pavement
markings, or intelligent transportation systems, unless incidental to building,
fabricating, or bettering a highway or street.

SECTION 1678. 84.06 (2) (a) of the statutes is amended to read:

84.06 (2) (a) All such highway improvements shall be executed by contract
based on bids unless the department finds that another method as provided in sub.
(3) or (4) would be more feasible and advantageous. Bids shall be advertised for in
the manner determined by the department. Except as provided in s. 84.075, the
contract shall be awarded to the lowest competent and responsible bidder as
determined by the department. If the bid of the lowest competent bidder is
determined by the department to be in excess of the estimated reasonable value of
the work or not in the public interest, all bids may be rejected. The department shall,
so far as reasonable, follow uniform methods of advertising for bids and may
prescribe and require uniform forms of bids and contracts. Except as provided in par.
(b), the secretary shall enter into the contract on behalf of the state. Every such
contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but
ss. 16.528, 16.752 and 16.754 apply to the contract. Any such contract involving an
expenditure of $1,000 or more shall not be valid until approved by the governor. The
secretary may require the attorney general to examine any contract and any bond
submitted in connection with the contract and report on its sufficiency of form and
execution. The bond required by s. 779.14 (1m) is exempt from approval by the
governor and shall be subject to approval by the secretary. This subsection also
applies to contracts with private contractors based on bids under s. 84.067 and on
bids for maintenance under s. 84.07.

SEC 1679. 84.067 of the statutes is created to read:

84.067 Contracts with private entities for certain services and
materials. The department may contract with a private entity for services or
materials or both associated with the installation, replacement, rehabilitation, or
maintenance of highway signs, traffic control signals, highway lighting, pavement
markings, and intelligent transportation systems.

SEC 1680. 84.07 (1) of the statutes is amended to read:

84.07 (1) STATE EXPENSE; WHEN DONE BY COUNTY OR MUNICIPALITY. The state trunk
highway system shall be maintained by the state at state expense. The department
shall prescribe by rule specifications for such maintenance and may contract with
any county highway committee or municipality to have all or certain parts of the
work of maintaining the state trunk highways within or beyond the limits of the
county or municipality, including interstate bridges, performed by the county or
municipality, and any county or municipality may enter into such contract. General
maintenance activities include the application of protective coatings, the removal
and control of snow, the removal, treatment and sanding of ice, interim repair of
highway surfaces and adjacent structures, and all other operations, activities and
processes required on a continuing basis for the preservation of the highways on the
state trunk system, and including the care and protection of trees and other roadside
vegetation and suitable planting to prevent soil erosion or to beautify highways
pursuant to s. 80.01 (3), and all measures deemed necessary to provide adequate
traffic service. Special maintenance activities include the restoration,
reinforcement, complete repair or other activities which the department deems are
necessary on an individual basis for specified portions of the state trunk system. Maintenance activities also include the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, and intelligent transportation systems. The department may contract with a private entity for services or materials or both associated with the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, and intelligent transportation systems.

SECTION 1681. 84.07 (5) of the statutes is repealed.

SECTION 1682. 84.075 (1) of the statutes is amended to read:

84.075 (1) In purchasing services under s. 84.01 (13), in awarding construction contracts under s. 84.06 and in contracting with private contractors and agencies under ss. 84.067 and 84.07, the department shall attempt to ensure that 5% of the total amount expended in each fiscal year is paid to contractors, subcontractors and vendors which are minority businesses, as defined under s. 560.036 (1) (e) 1. In attempting to meet this goal, the department may award any contract to a minority business that submits a qualified responsible bid that is no more than 5% higher than the low bid.

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

84.075 (3) The department shall at least semiannually, or more often if required by the department of administration, report to the department of administration the total amount of money it has paid to contractors, subcontractors and vendors which are minority businesses under ss. 84.01 (13), 84.06, 84.067, and 84.07 and the number of contacts with minority businesses in connection with proposed purchases and contracts. In its reports, the department shall include only amounts paid to businesses certified by the department as minority businesses.
SECTION 1684. 84.09 (5) of the statutes is amended to read:

84.09 (5) Subject to the approval of the governor, the department may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the department when the department determines that the property is no longer necessary for the state’s use for highway purposes and, if real property, the real property is not the subject of a petition under s. 16.375 560.9810 (2). The department shall present to the governor a full and complete report of the property to be sold, the reason for the sale, and the minimum price for which the same should be sold, together with an application for the governor’s approval of the sale. The governor shall thereupon make such investigation as he or she may deem necessary and approve or disapprove the application. Upon such approval and receipt of the full purchase price, the department shall by appropriate deed or other instrument transfer the property to the purchaser. The approval of the governor is not required for public or private sale of property having a fair market value at the time of sale of not more than $3,000, for the transfer of surplus state real property to the department of administration under s. 16.375 560.9810 or for the transfer of surplus state personal property to the department of tourism under sub. (5s). The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from such fund.

SECTION 1685. 84.09 (5r) of the statutes is amended to read:

84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m), the department may, subject to the approval of the governor, donate real property that is adjacent to the veterans memorial site located at The Highground in Clark County and owned by the state and under the jurisdiction of the department to the
Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
memorial site located at The Highground in Clark County for the purpose of a
memorial hall specified in s. 70.11 (9). The department may donate property under
this subsection only when the department determines that the property is no longer
necessary for the state's use for highway purposes and is not the subject of a petition
under s. 16.375 560.9810 (2) and is transferred with a restriction that the donee may
not subsequently transfer the real property to any person except to this state, which
shall not be charged for any improvements thereon. Such restriction shall be
recorded in the office of the register of deeds in the county in which the property is
located. The department shall present to the governor a full and complete report of
the property to be donated, the reason for the donation, and the minimum price for
which the property could likely be sold under sub. (5), together with an application
for the governor's approval of the donation. The governor shall thereupon make such
investigation as he or she considers necessary and approve or disapprove the
application. Upon such approval, the department shall by appropriate deed or other
instrument transfer the property to the donee. The approval of the governor is not
required for donation of property having a fair market value at the time of donation
of not more than $3,000. Any expense incurred by the department in connection with
the donation shall be paid from the transportation fund.

**SECTION 1686.** 84.11 (4) of the statutes is amended to read:

84.11 (4) FINDING, DETERMINATION, AND ORDER. After such hearing the
department shall make such investigation as it considers necessary in order to make
a decision in the matter. If the department finds that the construction is necessary
it shall determine the location of the project and whether the project is eligible for
construction under this section. The department shall also determine the character
and kind of bridge most suitable for such location and estimate separately the cost of the bridge portion and the entire project. The department shall make its finding, determination, and order, in writing, and file a certified copy thereof with the clerk of each county, city, village, and town in which any portion of the bridge project will be located and also with the secretary of state and the state treasurer. The determination of the location of the project made by the department and set forth in its finding, determination, and order, shall be conclusive as to such location and shall constitute full authority for laying out new streets or highways or for any relocations of highways made necessary for the construction of the project and for acquisition of any lands necessary for such streets or highways, relocation or construction. The estimate of cost made by the department shall be conclusive insofar as cost may determine eligibility of construction under this section.

**SECTION 1687.** 84.12 (4) of the statutes is amended to read:

84.12 (4) **Finding, determination, and order.** If the department finds that the construction is necessary, and that provision has been made or will be made by the adjoining state or its subdivisions to bear its or their portions of the cost of the project, the department, in cooperation with the state highway department of the adjoining state, shall determine the location thereof, the character and kind of bridge and other construction most suitable at such location, estimate the cost of the project, and determine the respective portions of the estimated cost to be paid by each state and its subdivisions. In the case of projects eligible to construction under sub. (1) (a) the department shall further determine the respective portions of the cost to be paid by this state and by its subdivisions which are required to pay portions of the cost. The department, after such hearing, investigation, and negotiations, shall make its
finding, determination, and order in writing and file a certified copy thereof with the clerk of each county, city, village, or town in this state in which any part of the bridge project will be located, with the secretary of state, and the state treasurer secretary of administration and with the state highway department of the adjoining state. The determination of the location set forth in the finding, determination, and order of the department shall be conclusive as to such location and shall constitute full authority for laying out new streets or highways or for any relocations of the highways made necessary for the construction of the project and for acquiring lands necessary for such streets or highways, relocation or construction.

Section 1688. 84.30 (2) (i) of the statutes is amended to read:

84.30 (2) (i) “Primary highway” means any highway, other than an interstate highway, at any time officially designated by the department, and approved by the appropriate authority of the federal government, as a part of the federal-aid primary system by the department and approved by the appropriate authority of the federal government in existence on June 1, 1991, or as a part of the national highway system identified in 23 USC 103 (b).

Section 1689. 84.30 (3) (intro.) of the statutes is amended to read:

84.30 (3) SIGNS PROHIBITED. (intro.) No sign visible from the main-traveled way of any interstate or federal-aid primary highway may be erected or maintained, except the following:

Section 1690. 84.30 (3) (d) of the statutes is amended to read:

84.30 (3) (d) Signs located in business areas on March 18, 1972. This paragraph does not apply to a sign in a business area adjoining that portion of an interstate or primary highway designated by the department as a scenic byway under s. 84.106.
SECTION 1691. 84.30 (3) (e) of the statutes is amended to read:

84.30 (3) (e) Signs to be erected in business areas subsequent to March 18, 1972, which when erected will comply with sub. (4). This paragraph does not apply to a sign in a business area adjoining that portion of an interstate or primary highway designated by the department as a scenic byway under s. 84.106.

SECTION 1692. 84.30 (3) (i) of the statutes is amended to read:

84.30 (3) (i) Signs on farm buildings which are utilized by owners of the building for agricultural purposes if the signs promote a Wisconsin agricultural product unless prohibited by federal law. This paragraph does not apply to a sign in an adjacent area adjoining that portion of an interstate or primary highway designated by the department as a scenic byway under s. 84.106.

SECTION 1693. 84.30 (3) (j) 1. of the statutes is amended to read:

84.30 (3) (j) 1. Signs erected by the Crime Stoppers, the nationwide organization affiliated with local police departments, on or before October 14, 1997, without regard to whether the department has issued a license for the sign. The department may not remove a sign authorized under this paragraph unless the sign does not conform to federal requirements. The requirements under s. 86.19 do not apply to signs described in this subdivision. This subdivision does not apply to a sign in an adjacent area adjoining that portion of an interstate or primary highway designated by the department as a scenic byway under s. 84.106.

SECTION 1694. 84.30 (6) (b) of the statutes is amended to read:

84.30 (6) (b) Signs lawfully in existence on land adjoining any highway made an interstate or primary highway after March 18, 1972, or on land adjoining that portion of an interstate or primary highway designated by the department as a scenic byway.
byway under s. 84.106 after the effective date of this paragraph .... [revisor inserts date].

Section 1695. 84.59 (1) of the statutes is amended to read:

84.59 (1) Transportation facilities under s. 84.01 (28) and major highway projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09, state highway rehabilitation projects for the purposes specified in s. 20.395 (3) (cq) and the purposes under ss. 84.06 and 84.09, and the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09 may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18.

Section 1696. 84.59 (2) of the statutes is renumbered 84.59 (2) (a).

Section 1697. 84.59 (2) (b) of the statutes is created to read:

84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and distinct special fund outside the state treasury, in an account maintained by a trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2), and (2m), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), and 342.14, except s. 342.14 (1r). The revenues deposited are the trustee’s revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section. Revenue obligations issued for the purposes specified in sub. (1) and deposited under this paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in s. 18.52 (8).
SECTION 1698. 84.59 (3) of the statutes is amended to read:

84.59 (3) The secretary may pledge revenues received or to be received in any fund established under sub. (2) to secure revenue obligations issued under this section. The pledge shall provide for the transfer to this state of all pledged revenues, including any interest earned on the revenues, which are in excess of the amounts required to be paid under s. 20.395 (6) (as). The pledge shall provide that the transfers be made at least twice yearly, that the transferred amounts be deposited in the transportation fund and that the transferred amounts are free of any prior pledge.

SECTION 1699. 84.59 (6) of the statutes is amended to read:

84.59 (6) The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed $1,753,067,500 $2,916,403,000, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and, major highway projects for the purposes under ss. 84.06 and 84.09, state highway rehabilitation projects for the purposes specified in s. 20.395 (3) (cq) and the purposes under ss. 84.06 and 84.09, and the Marquette interchange reconstruction project under s. 84.014 for the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding...
revenue obligations contracted under this section and to pay expenses associated
with revenue obligations contracted under this section.

**SECION 1700.** 85.013 (2) (b) (intro.) of the statutes is amended to read:

85.013 (2) (b) (intro.) Any hearing under s. 227.42 shall be held before the office
of the commissioner of tax appeals commission under s. 73.01 if the hearing concerns
an additional assessment, refund or denial of refund under any of the following:

**SECION 1701.** 85.013 (3) of the statutes is created to read:

85.013 (3) The division of hearings and appeals shall, in conducting any
hearing or review for the department under s. 227.43 (1) (bk), give due weight to the
experience, technical competence, and specialized knowledge of the department as
well as discretionary authority conferred upon the department, and great weight to
the department’s interpretation of the statutes that it administers and rules
promulgated under those statutes. If there is a conflict between this subsection and
any other statute relating to any hearing or review conducted by the division of
hearings and appeals for the department under s. 227.43 (1) (bk), the provisions of
this subsection control.

**SECION 1702.** 85.062 (1) (c) of the statutes is created to read:

85.062 (1) (c) Initial construction or expansion of a commuter rail transit
system. In this paragraph, “commuter rail” has the meaning given in s. 85.064 (1)
(a).

**SECION 1703.** 85.064 of the statutes is created to read:

**85.064 Commuter rail transit system development.** (1) In this section:

(a) “Commuter rail” means rail passenger service, operating primarily on a
dedicated right-of-way on existing railroad tracks used for rail freight service or
intercity rail passenger service between and within metropolitan and suburban
areas, connecting these areas with large business or urban centers in this state or another. Commuter rail usually operates during peak travel times with limited stops and in conjunction with other transit modes as part of a regional transit system.

(b) “Political subdivision” means any city, village, town, county, transit commission organized under s. 59.58 (2) or 66.1021 or recognized under s. 66.0301, or regional transportation authority organized under s. 59.58 (6) within this state.

(2) (a) The department shall administer a commuter rail transit system development grant program. From the appropriations under s. 20.395 (1) (dq), (dv), and (dx), the department may award grants to political subdivisions for preliminary engineering, property acquisition, equipment acquisition, and infrastructure construction projects related to the development or extension of commuter rail transit systems in this state.

(b) Upon completion of a planning study to the satisfaction of the department, any political subdivision may apply to the department for a grant for any purpose specified in par. (a). No grant may be awarded under this section for a project unless the project meets the eligibility criteria established by the department under sub. (3).

(c) The amount of a grant awarded under this section shall be limited to an amount equal to 50% of the portion of the project cost in excess of the federal aid funding for the project or 25% of the total project cost, whichever is less. No grant may be awarded under this section for a project involving the acquisition of property or equipment or infrastructure construction unless the political subdivision contributes funds for the project that at least equal 20% of the total project cost.

(3) The department shall prescribe the form, nature, and extent of information that shall be contained in applications for grants under this section and shall
establish criteria for evaluating applications and determining eligibility for the
award of grants under this section.

**SECTION 1703.** 85.09 (2) (a) of the statutes is amended to read:

85.09 (2) (a) The department of transportation shall have the first right to
acquire, for present or future transportational or recreational purposes, any
property used in operating a railroad or railway, including land and rails, ties,
switches, trestles, bridges, and the like located on that property, that
has been abandoned. The department of transportation may, in connection with
abandoned rail property, assign this right to a state agency, the board of regents of
the University of Wisconsin System, any county or municipality, or any transit
commission. Acquisition by the department of transportation may be by gift,
purchase, or condemnation in accordance with the procedure under s. 32.05. In
addition to its property management authority under s. 85.15, the department of
transportation may lease and collect rents and fees for any use of rail property
pending discharge of the department’s duty to convey property that is not necessary
for a public purpose. In exercising its property management authority, the
department of transportation, to the greatest extent practicable, shall encourage and
utilize the Wisconsin conservation corps for appropriate projects. No person owning
abandoned rail property, including any person to whom ownership reverts upon
abandonment, may convey or dispose of any abandoned rail property without first
obtaining a written release from the department of transportation indicating that
the first right of acquisition under this subsection will not be exercised or assigned.
No railroad or railway may convey any rail property prior to abandonment if the rail
property is part of a rail line shown on the railroad’s system map as in the process
of abandonment, expected to be abandoned, or under study for possible
abandonment unless the conveyance or disposal is for the purpose of providing
continued rail service under another company or agency. Any conveyance made
without obtaining such release is void. The first right of acquisition of the
department of transportation under this subsection does not apply to any rail
property declared by the department to be abandoned before January 1, 1977. The
department of transportation may acquire any abandoned rail property under this
section regardless of the date of its abandonment.

SECTION 1705. 85.09 (4i) of the statutes is amended to read:

85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or
private sale rail property acquired under sub. (4) when the department determines
that the rail property is not necessary for a public purpose and, if real property, the
real property is not the subject of a petition under s. 16.375 560.9810 (2). Upon
receipt of the full purchase price, the department shall, by appropriate deed or other
instrument, transfer the rail property to the purchaser. The funds derived from sales
under this subsection shall be deposited in the transportation fund, and the expense
inurred by the department in connection with the sale shall be paid from the
appropriation under s. 20.395 (2) (bq).

SECTION 1706. 85.12 (3) of the statutes is amended to read:

85.12 (3) The department may contract with any local governmental unit, as
declared in s. 22.01 16.97 (7), to provide that local governmental unit with services
under this section.

SECTION 1707. 85.14 (1) (b) of the statutes is amended to read:

85.14 (1) (b) Except for charges associated with a contract under par. (c), the
department shall pay to the state treasurer, secretary of administration, the amount
of charges associated with the use of credit cards under par. (a) that are assessed to
the department.

**SECTION 1707.** 85.14 (2) of the statutes is amended to read:

85.14 (2) The department shall certify to the state treasurer secretary of
administration the amount of charges associated with the use of credit cards that is
assessed to the department on deposits accepted under s. 345.26 (3) (a) by state
traffic patrol officers and state motor vehicle inspectors, and the state treasurer
secretary of administration shall pay the charges from moneys under s. 59.25 (3) (j)
and (k) that are reserved for payment of the charges under s. 14.58 (21) 20.907 (5)
e (12e).

**SECTION 1709.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

85.20 (4m) (a) 6. cm. For aid payable for calendar years 2000 and 2001, from
the appropriation under s. 20.395 (1) (ht), the department shall pay $53,555,600 to
the eligible applicant that pays the local contribution required under par. (b) 1. for
an urban mass transit system that has annual operating expenses in excess of
$80,000,000. For aid payable for calendar year 2002, from the appropriation under
s. 20.395 (1) (ht), the department shall pay $55,697,800 to the eligible applicant that
pays the local contribution required under par. (b) 1. for an urban mass transit
system that has annual operating expenses in excess of $80,000,000. Beginning with
For aid payable for calendar year 2003 and for each calendar year thereafter, from
the appropriation under s. 20.395 (1) (ht), the department shall pay $56,811,800 to the eligible applicant that
pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of
$80,000,000. For aid payable for calendar year 2004, from the appropriation under
s. 20.395 (1) (ht), the department shall pay $58,192,000 to the eligible applicant that
pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $80,000,000. Beginning with aid payable for calendar year 2005 and for each calendar year thereafter, from the appropriation under s. 20.395 (1) (ht), the department shall pay $59,572,900 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $80,000,000. If the eligible applicant that receives aid under this subd. 6. cm. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

**SECTION 1710.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

85.20 (4m) (a) 6. d. For aid payable for calendar years 2000 and 2001, from the appropriation under s. 20.395 (1) (hu), the department shall pay $14,297,600 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1) (hu), the department shall pay $14,869,500 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. Beginning with For aid payable for calendar year 2003 and for each calendar year thereafter, from the appropriation under s. 20.395 (1) (hu), the department shall pay $15,166,900 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. For aid payable for calendar year 2004, from the appropriation under
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s. 20.395 (1) (hu), the department shall pay $15,536,600 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. Beginning with aid payable for calendar year 2005 and for each calendar year thereafter, from the appropriation under s. 20.395 (1) (hu), the department shall pay $15,908,200 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. If the eligible applicant that receives aid under this subd. 6.d. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

Section 1711. 85.20 (4m) (a) 7. a. of the statutes is amended to read:

85.20 (4m) (a) 7. a. From the appropriation under s. 20.395 (1) (hr), for aid payable for calendar year 2001, the uniform percentage for each eligible applicant served by an urban mass transit system operating within an urbanized area having a population as shown in the 1990 federal decennial census of at least 50,000 or receiving federal mass transit aid for such area, and not specified in subd. 6. From the appropriation under s. 20.395 (1) (hr), beginning with aid payable for calendar year 2002 and for each calendar year thereafter, the uniform percentage for each eligible applicant served by an urban mass transit system operating within an urbanized area having a population as shown in the 2000 federal decennial census of at least 50,000 or receiving federal mass transit aid for such area, and not specified in subd. 6.

Section 1712. 85.20 (4m) (a) 7. b. of the statutes is amended to read:
85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the amounts for aids are $19,804,200 in calendar years 2000 and 2001, $20,596,400 in calendar year 2002, and $21,008,300 in calendar year 2003, $21,555,300 in calendar year 2004, and $22,133,700 in calendar year 2005 and in each calendar year thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 1713. 85.20 (4m) (a) 8. a. of the statutes is amended to read:

85.20 (4m) (a) 8. a. From the appropriation under s. 20.395 (1) (hs), for aid payable for calendar year 2001, the uniform percentage for each eligible applicant served by an urban mass transit system operating within an area having a population as shown in the 1990 federal decennial census of less than 50,000 or receiving federal mass transit aid for such area. From the appropriation under s. 20.395 (1) (hs), beginning with aid payable for calendar year 2002 and for each calendar year thereafter, the uniform percentage for each eligible applicant served by an urban mass transit system operating within an area having a population as shown in the 2000 federal decennial census of less than 50,000 or receiving federal mass transit aid for such area.

SECTION 1714. 85.20 (4m) (a) 8. b. of the statutes is amended to read:

85.20 (4m) (a) 8. b. For the purpose of making allocations under subd. 8. a., the amounts for aids are $5,349,100 in calendar years 2000 and 2001, $5,563,100 in calendar year 2002, and $5,674,400 in calendar year 2003, $5,844,100 in calendar year 2004, and $6,041,400 in calendar year 2005 and in each calendar year thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 1715. 85.55 of the statutes is amended to read:
85.55 Safe-ride grant program. The department may award grants to any county or municipality or to any nonprofit corporation, as defined in s. 46.93 (1m) (c) 66.0129 (6) (b), to cover the costs of transporting persons suspected of having a prohibited alcohol concentration, as defined in s. 340.01 (46m), from any premises licensed under ch. 125 to sell alcohol beverages to their places of residence. The amount of a grant under this section may not exceed 50% of the costs necessary to provide the service. The liability of a provider of a safe-ride program to persons transported under the program is limited to the amounts required for an automobile liability policy under s. 344.15 (1). Grants awarded under this section shall be paid from the appropriation under s. 20.395 (5) (ek).

SECTION 1716. 86.001 (2m) of the statutes is repealed.

SECTION 1717. 86.12 (2) of the statutes is amended to read:

86.12 (2) If a railroad company fails to comply with the resolution in sub. (1) within 30 days after service of the resolution, the county board, common council, village board or town board may file a complaint with the office department alleging the failure. The office department shall investigate and determine the matter in controversy as provided in ch. 195. An order issued by the office under this subsection has the same effect as an order in a proceeding brought under ch. 195, and may issue an appropriate order.

SECTION 1718. 86.13 (3) of the statutes is amended to read:

86.13 (3) If any railroad company fails to grade, construct, pave, surface or otherwise improve or maintain in good and safe condition for public travel as required by this section any street or highway crossing after having been notified so to do by the officer in charge thereof or of the highway improvement for 30 days after such notification, the highway authorities may file a complaint with the office
department. The office department shall investigate and determine the matter in
controversy as provided in ch. 195. An order issued by the office under this
subsection has the same effect as an order in a proceeding brought under ch. 195, and
may issue an appropriate order.

Section 1719. 86.30 (2) (a) 1. of the statutes is amended to read:

86.30 (2) (a) 1. Except as provided in pars. (b), (d) and (dm), sub. (10) and s.
86.303, the amount of transportation aids payable by the department to each county
shall be the aids amount calculated under subd. 2. and to each municipality shall be
the aids amount calculated under subd. 2. or 3., whichever is greater. If the amounts
calculated for a municipality under subd. 2. or 3. are the same, transportation aids
to that municipality shall be paid under subd. 2.

Section 1720. 86.30 (2) (a) 3. of the statutes is amended to read:

86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
municipality as determined under s. 86.302, the mileage aid payment shall be $1,704
in calendar year 2001, $1,755 in calendar year 2002, and $1,825 in calendar year
2003, $1,871 in calendar year 2004, and $1,917 in calendar year 2005 and thereafter.

Section 1721. 86.30 (9) (b) of the statutes is amended to read:

86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
the amounts for aids to counties are $84,059,500 in calendar years 2000 and 2001,
$86,581,300 in calendar year 2002, and $90,044,600 in calendar year 2003,
$92,295,700 in calendar year 2004, and $94,603,100 in calendar year 2005 and
thereafter. These amounts, to the extent practicable, shall be used to determine the
statewide county average cost–sharing percentage in the particular calendar year.

Section 1722. 86.30 (9) (c) of the statutes is amended to read:
86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to municipalities are $264,461,500 in calendar years 2000 and 2001, $272,395,300 in calendar year 2002, and $283,291,100 in calendar year 2003, $290,373,400 in calendar year 2004, and $297,632,700 in calendar year 2005 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide municipal average cost-sharing percentage in the particular calendar year.

SECTION 1723. 86.30 (10) of the statutes is repealed.

SECTION 1724. 86.31 (3s) of the statutes is amended to read:

86.31 (3s) WEST CANAL STREET RECONSTRUCTION AND EXTENSION.

Notwithstanding limitations on the amount and use of aids provided under this section, or on eligibility requirements for receiving aids under this section, and subject to s. 84.03 (3) (b), the department shall award a grant of $2,500,000 to the city of Milwaukee for the purpose specified under s. 84.03 (3) (a). Notwithstanding subs. (3) (b), (3g), (3m), and (3r), payment of the grant under this subsection shall be made from the appropriation under s. 20.395 (2) (fr) before making any other allocation of funds under subs. (3) (b), (3g), (3m), and (3r), and the allocation of funds under subs. (3) (b), (3g), (3m), and (3r) shall be reduced proportionately to reflect the amount of the grant made under this subsection. This subsection does not apply after December 31, 2005.

SECTION 1725. 87.07 (4) of the statutes is amended to read:

87.07 (4) BENEFITS AND COSTS DECISIVE. If the aggregate of the amounts collectible, as thus found by the department, exceeds the estimated cost of construction of the improvement, the department shall order that the work of constructing such improvement proceed. If such aggregate amount collectible is less
than the estimated cost of such improvement, the department shall enter an order
dismissing the petition, unless the difference between said aggregate amounts be
deposited in cash with the state treasurer secretary of administration within one
year. Such deposit may be made by any person or any public or private corporation.
Upon the making of such deposit, the department shall enter a further order that the
work of constructing the improvement proceed.

**SECTION 1725.** 87.11 (2) of the statutes is amended to read:

87.11 (2) But should the total cost, as ascertained and certified by the flood
control board after the letting of the contracts, in the manner hereinabove set forth,
exceed the total amount found by the department to be collectible under s. 87.09, all
contracts for the construction of the work shall be null and void. At the expiration
of one year after such certification, any moneys held by the state treasurer secretary
of administration on account of the project shall be refunded to the persons by whom
they were paid to such treasurer; the secretary of administration; and funds in the
hands of the flood control board shall be refunded to the public corporation by which
they were paid to such board; any funds held by any town, village, or city, having been
collected by special assessments against property benefited, shall be refunded to the
owners of such property; any funds raised by any public corporation by the issuance
of bonds on account of such proposed improvements shall constitute a fund for the
retirement or payment of such bonds; and any fund held by any public corporation,
having been raised otherwise than by special assessments or bond issues, shall be
available for the general purposes of such public corporation. Provided, however,
that if within one year after the last mentioned certification of the flood control board
there shall be deposited with the treasurer of said board a sum equal to the difference
between the aggregate cost of constructing the improvement as estimated by the
department and the aggregate cost thereof as determined and certified by the flood
control board after the letting of the contracts, said board shall proceed to relet the
contracts for the construction of the improvement and to complete the same unless
the aggregate of such new contract prices, together with the department’s estimate
of the cost of acquiring lands and of overhead expenses and of the first 18 months’
operation and maintenance, shall again exceed the amount found by the department
to be collectible under s. 87.09. The deposit herein referred to may be made by any
person or any public or private corporation.

SECTION 1727. 87.13 of the statutes is amended to read:

87.13 Disbursements by board. All sums which shall be deposited with the
state treasurer secretary of administration under s. 87.07 (4) for the construction of
the improvement shall be paid by said treasurer the secretary of administration to
the flood control board upon requisitions from said board. If any moneys, other than
those for operation and maintenance during the first 18 months, remain unexpended
in the hands of the flood control board or subject to their requisition after the
completion of the construction of the improvement, and if the funds for construction
of the improvement shall have been in part raised through voluntary contributions
under s. 87.07 (4) or 87.11 (2), the amounts thus contributed, or such proportion
thereof as the funds remaining in the hands of the board or subject to its requisition
will pay, shall be returned to the persons or corporations who made such voluntary
contributions, in proportion to the amounts contributed by them.

SECTION 1728. 88.66 (2) of the statutes is amended to read:

88.66 (2) Every district whose drains cross the right-of-way of a railway
company is liable to such company for the reasonable cost of opening its right-of-way
and also for the cost of the culverts and bridges made necessary by such drain. The
drainage board shall include such costs in its cost of construction, as set forth in its
report of benefits and damages, and shall award them as damages to the railway
company. The bridge or culvert shall be designed by the district’s engineer and the
design submitted to the railway company for approval. If a dispute arises as to the
adequacy of the design, either party may submit the dispute to the office of the
commissioner of railroads division of hearings and appeals in the department of
administration by filing with the office division of hearings and appeals a statement
as to the facts involved and the nature of the dispute. The office division of hearings
and appeals shall investigate and determine the matter in controversy in accordance
with ch. 195, and any order it makes in such proceeding has the same effect as an
order in any other proceeding properly brought under ch. 195.

SECTION 1729. 88.87 (4) of the statutes is amended to read:

88.87 (4) If a railway company fails to comply with sub. (2), any person
aggrieved thereby may file a complaint with the office of the commissioner of
railroads division of hearings and appeals in the department of administration
setting forth the facts. The office division of hearings and appeals shall investigate
and determine the matter in controversy in accordance with ch. 195, and any order
it makes in such proceeding has the same effect as an order in any other proceeding
properly brought under ch. 195.

SECTION 1730. 88.88 (2) of the statutes is amended to read:

88.88 (2) If the railway company fails to comply with sub. (1), the person
aggrieved thereby may file a complaint with the office of the commissioner of
railroads division of hearings and appeals in the department of administration
setting forth the facts. The office division of hearings and appeals shall investigate
and determine the matter in controversy in accordance with ch. 195, and any order
it makes in such proceeding has the same effect as an order in any other proceeding
properly brought under ch. 195.

SECTION 1731. 91.19 (6s) (a) (intro.) of the statutes is amended to read:

91.19 (6s) (a) (intro.) The department may release from a farmland
preservation agreement any land acquired or to be acquired by a local unit of
government the governing body of a municipality, as defined in s. 106.215 (1) (e)
281.59 (1) (c), for public improvements or structures, including highway
improvements, if all of the following occur:

SECTION 1732. 93.07 (1) of the statutes is amended to read:

93.07 (1) REGULATIONS. To make and enforce such regulations, not inconsistent
with law, as it may deem necessary for the exercise and discharge of all of the powers
and duties of the department, and to adopt such measures and make such
regulations as are necessary and proper for the enforcement by the state of
department to carry out its duties and powers under chs. 93 to 100, which regulations
shall have the force of law.

SECTION 1733. 93.07 (23) of the statutes is created to read:

93.07 (23) CONSUMER PROTECTION ADMINISTRATION. To administer ss. 100.01 to
100.14, 100.183 to 100.19, 100.201, 100.202, 100.206, 100.21 to 100.24, 100.265,
100.27, 100.285 to 100.30, 100.33 to 100.36, 100.45, 100.47, 100.48, and 100.51.

SECTION 1734. 93.07 (24) of the statutes is amended to read:

93.07 (24) ENFORCEMENT OF LAWS. To enforce or assist in the enforcement of chs.
88 and 93 to 99, those laws under ch. 100 administered by the department, and all
other laws entrusted to its administration, and especially:
(a) To enforce the laws administered by the department regarding the production, manufacture and sale, offering or exposing for sale or having in possession with intent to sell, of any dairy, food or drug product.

(b) To enforce the laws administered by the department regarding the adulteration or misbranding of any articles of food, drink, condiment or drug.

(c) To inspect any milk, butter, cheese, lard, syrup, coffee, tea or other article of food, drink, condiment or drug made or offered for sale within this state which it may suspect or have reason to believe, under the laws administered by the department, to be impure, unhealthful, misbranded, adulterated or counterfeit, or in any way unlawful.

(d) To prosecute or cause to be prosecuted, under the laws administered by the department, any person engaged in the manufacture or sale, offering or exposing for sale or having in possession with intent to sell, of any adulterated dairy product or of any adulterated, misbranded, counterfeit, or otherwise unlawful article or articles of food, drink, condiment or drug.

SECTION 1735. 93.18 (3) of the statutes is amended to read:

93.18 (3) The department of justice, after acting pursuant to s. 100.37 or 100.41 to 100.43 to order the sale or distribution of any substance, article, furnishing, fabric, product or related material ceased, shall give written notice of its finding to the manufacturer, seller or other person responsible for placing the item in the channels of trade in this state. After such notice no person may sell, remove or otherwise dispose of such item except as directed by the department of justice. Any person affected by such notice may demand a prompt hearing to determine the validity of the department’s findings of the department of justice. The hearing, if requested, shall be held as expeditiously as possible but not later than 30 days after notice. A
request for hearing does not operate to stay enforcement of the order during the
pendency of the hearing. The person petitioning for a hearing shall be entitled to the
same rights specified under sub. (2).

SECTION 1736. 93.18 (7) of the statutes is created to read:

93.18 (7) The department of justice shall follow the procedures under subs. (1),
(2), (4), (5), and (6) in enforcing the provisions of ch. 100 that are administered by the
department of justice.

SECTION 1737. 93.20 (1) of the statutes is amended to read:

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

SECTION 1738. 93.22 (1) of the statutes is amended to read:

93.22 (1) In cases arising under chs. 88 and 93 to 100 or 126 or an action that is
commenced in court by the department of agriculture to enforce ch. 100
and ss. 100.206, 100.21, 100.30, and 100.51, the department may be represented by its attorney.

SECTION 1739. 93.22 (2) of the statutes is amended to read:

93.22 (2) The department may, with the approval of the governor, appoint
special counsel to prosecute or assist in the prosecution of any case arising under chs.
88 and 93 to 100 or 126 or an action that is commenced in court by the department of agriculture to enforce ch. 100
and ss. 100.206, 100.21, 100.30, and 100.51. The cost of such
special counsel shall be charged to the appropriation for the department.

SECTION 1740. 93.31 of the statutes is amended to read:

93.31 Livestock breeders association. The secretary of the Wisconsin
livestock breeders association shall on and after July 1 of each year make a report
to the department, signed by the president, treasurer, and secretary of the
association, setting forth in detail the receipts and disbursements of the association
for the preceding fiscal year in such form and detail together with such other
information as the department may require. On receipt of such reports, if the
department is satisfied that the business of the association has been efficiently
conducted during the preceding fiscal year and in the interest of and for the
promotion of the special agricultural interests of the state and for the purpose for
which the association was organized and if the final statement shows that all the
receipts together with the state aid have been accounted for and disbursed for the
proper and necessary purposes of the association, and in accordance with the laws
of the state, then the department shall file a certificate with the department
secretary of administration and it shall draw its warrant and the state treasurer he
or she shall pay to the treasurer of the association the amount of the appropriations
made available for the association by s. 20.115 (4) (a) for the conduct of junior
livestock shows and other livestock educational programs. The association may
upon application to the state purchasing agent, upon such terms as he or she may
require, obtain printing for the association under the state contract.

SECTION 1741. 93.55 (2) of the statutes is amended to read:

93.55 (2) COLLECTION GRANTS. The department may award a grant to a county
for a chemical and container collection program. A grant under this subsection shall
fund all or a part of the cost of a program. Costs eligible for funding include the cost
of establishing a collection site for chemicals and chemical containers, the cost of
transporting chemical containers to a dealer or distributor for refill and reuse or to
a hazardous waste facility, as defined in s. 291.01 (8), and costs associated with the
proper use and handling and disposal or recycling of chemicals and chemical
containers. Grants shall be paid from the appropriation under s. 20.115 (7) (v) (va).

SECTION 1742. 93.70 of the statutes is renumbered 93.70 (1).
SECTION 1743. 93.70 (2) of the statutes is created to read:

93.70 (2) The department may not make a payment under sub. (1) to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the department a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 1744. 94.64 (4) (a) 1. of the statutes is amended to read:

94.64 (4) (a) 1. A basic fee of 23 30 cents per ton for fertilizer sold or distributed beginning on October 29, 1999, and ending on June 30, 2001 before July 1, 2003, and 30 45 cents per ton for fertilizer sold or distributed after June 30, 2001 2003, with a minimum fee of $25.

SECTION 1745. 94.64 (4) (a) 5. of the statutes is amended to read:

94.64 (4) (a) 5. An agricultural chemical cleanup surcharge of 38 88 cents per ton on all fertilizer that the person sells or distributes in this state after June 30, 1999, unless the department establishes a lower surcharge under s. 94.73 (15).

SECTION 1746. 94.681 (1) (cm) of the statutes is created to read:

94.681 (1) (cm) “Payment period” means the 12 months ending on September 30 of the calendar year for which a license is sought under s. 94.68.

SECTION 1747. 94.681 (2) of the statutes is repealed and recreated to read:

94.681 (2) ANNUAL LICENSE FEE. An applicant for a license under s. 94.68 shall pay an annual license fee for each pesticide product that the applicant sells or distributes for use in this state. The amount of the fee is based on sales of pesticide products during the payment period. An applicant shall pay an estimated fee before the start of each license year as provided in sub. (3s) (a) and shall make a fee
adjustment payment before the end of the license year if required under sub. (3s) (b).

Except as provided in sub. (5) or (6), the fee for each pesticide product is as follows:

(a) For each household pesticide product:

1. If the applicant sells less than $25,000 of the product during the payment period for use in this state, $265.

2. If the applicant sells at least $25,000 but less than $75,000 of the product during the payment period for use in this state, $750.

3. If the applicant sells at least $75,000 of the product during the payment period for use in this state, $1,500.

(b) For each industrial pesticide product:

1. If the applicant sells less than $25,000 of the product during the payment period for use in this state, $315.

2. If the applicant sells at least $25,000 but less than $75,000 of the product during the payment period for use in this state, $860.

3. If the applicant sells at least $75,000 of that product during the payment period for use in this state, $3,060.

(c) For each nonhousehold pesticide product:

1. If the applicant sells less than $25,000 of that product during the payment period for use in this state, $320.

2. If the applicant sells at least $25,000 but less than $75,000 of the product during the payment period for use in this state, $890.

3. If the applicant sells at least $75,000 of the product during the payment period for use in this state, $3,060 plus 0.2% of the gross revenues from sales of the product during the payment period for use in this state.

SECTION 1748. 94.681 (3) of the statutes is amended to read:
94.681 (3) Nonhousehold pesticides; cleanup surcharge. Except for the license years that begin on January 1, 1999, and January 1, 2000, an applicant for a license under s. 94.68 shall pay an agricultural chemical cleanup surcharge for each nonhousehold pesticide product that the applicant sells or distributes for use in this state. The amount of the surcharge is based on sales of nonhousehold pesticide products during the payment period. An applicant shall pay an estimated surcharge before the start of each license year as provided in sub. (3s) (a) and shall make a surcharge adjustment payment before the end of the license year if required by sub. (3s) (b). Except as provided in sub. (6) or under s. 94.73 (15), the amount of the surcharge is as follows:

(a) If the applicant sold less than $25,000 of the product during the preceding year payment period for use in this state, $5.

(b) If the applicant sold at least $25,000 but less than $75,000 of that product during the preceding year payment period for use in this state, $170.

(c) If the applicant sold at least $75,000 of that product during the preceding year payment period for use in this state, an amount equal to 1.1% of gross revenues from sales of the product during the preceding year payment period for use in this state.

Section 1749. 94.681 (3m) of the statutes is amended to read:

94.681 (3m) Wood preservatives; cleanup surcharge. An applicant for a license under s. 94.68 shall pay an environmental cleanup surcharge for each pesticide product that is not a household pesticide and is solely labeled for use on wood and contains pentachlorophenol or coal tar creosote that the applicant sells or distributes in this state. The amount of the surcharge is based on sales of pesticide products that are not household pesticides and are solely labeled for use on wood and
contain pentachlorophenol or coal tar creosote during the payment period. An applicant shall pay an estimated surcharge before the start of each license year as provided in sub. (3s) (a) and shall make a surcharge adjustment payment before the end of the license year if required by sub. (3s) (b). Except as provided in sub. (6), the amount of the surcharge is as follows:

(a) If the applicant sold less than $25,000 of the product during the preceding year payment period for use in this state, $5.

(b) If the applicant sold at least $25,000 but less than $75,000 of that product during the preceding year payment period for use in this state, $170.

(c) If the applicant sold at least $75,000 of that product during the preceding year payment period for use in this state, an amount equal to 1.1% of gross revenues from sales of the product during the preceding year payment period for use in this state.

**SECTION 1750.** 94.681 (3s) of the statutes is created to read:

94.681 (3s) Payment of fees and surcharges. (a) Before the start of a license year, an applicant shall estimate the gross revenues that the applicant will receive from sales of each pesticide product during the payment period that ends during the year for which a license is sought under s. 94.68 and shall pay the amounts under subs. (2), (3), and (3m) based on that estimate. At least 15 days before beginning to sell a new pesticide product in this state, a licensee shall estimate the gross revenues that the applicant will receive from sales of that pesticide product during the payment period in which the licensee begins to sell the pesticide product and shall pay the amounts under subs. (2), (3), and (3m) based on that estimate.

(b) Before the end of a license year, a licensee shall report to the department the gross revenues that the licensee received from sales of each pesticide product
during the payment period that ended during the license year, as required under s. 94.68 (2) (a) 2., and shall reconcile the estimated payment made under par. (a) with the amounts actually due under subs. (2), (3), and (3m) as follows:

1. If the amount due based on actual sales is greater than the amount paid based on estimated sales, the licensee shall pay the additional amount due.

2. If the amount due based on actual sales is less than the amount paid based on estimated sales, the licensee may request the department to reimburse the licensee for the amount of the overpayment.

3. If the amount due based on actual sales equals the amount paid based on estimated sales, no action is required.

(c) 1. Except as provided in subd. 2., if a licensee’s total payment due under par. (b) is more than 20% of the total amount paid under par. (a), the licensee shall pay a penalty equal to 20% of the total amount due under par. (b). The penalty under this subdivision is in addition to any late filing fee under s. 93.21 (5).

2. Subdivision 1. does not apply to a licensee if the licensee’s payments under par. (a) are based on estimates of gross revenues from sales for each pesticide product that equal at least 90% of the licensee’s gross revenues from sales of the pesticide product during the preceding year.

**SECTION 1751.** 94.72 (6) (a) 1. of the statutes is repealed.

**SECTION 1752.** 94.72 (6) (a) 2. of the statutes is amended to read:

94.72 (6) (a) 2. For commercial feeds distributed in this state on or after January 1, 2004, a feed inspection fee of 23 cents per ton.

**SECTION 1753.** 94.72 (6) (a) 2m. of the statutes is created to read:

94.72 (6) (a) 2m. For commercial feeds distributed in this state after December 31, 2003, a feed inspection fee of 30 cents per ton.
SECTION 1754. 94.73 (6) (b) of the statutes is amended to read:

94.73 (6) (b) Except as provided in pars. (c) and (e), the department shall reimburse a responsible person an amount equal to 80% of the corrective action costs incurred for each discharge site that are greater than $3,000 and less than $400,000.

SECTION 1755. 94.73 (6) (c) (intro.) of the statutes is amended to read:

94.73 (6) (c) (intro.) Except as provided in par. (e), the department shall reimburse a responsible person an amount equal to 80% of the corrective action costs incurred for each discharge site that are greater than $7,500 and less than $400,000 if any of the following applies:

SECTION 1756. 94.73 (15) (a) of the statutes is amended to read:

94.73 (15) (a) The department may, by rule, reduce any of the surcharges in ss. 94.64 (3r) (b) and (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703 (3) (a) 2., and 94.704 (3) (a) 2. below the amounts specified in those provisions. The department shall adjust surcharge amounts as necessary to maintain a balance in the agricultural chemical cleanup fund at the end of each fiscal year of at least $2,000,000 but not more than $5,000,000, but may not increase a surcharge amount over the amount specified in s. 94.64 (3r) (b) or (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703 (3) (a) 2., or 94.704 (3) (a) 2.

SECTION 1757. 97.24 (4) (a) of the statutes is amended to read:

97.24 (4) (a) Regulation of the production, processing and distribution of milk and fluid milk products under minimum sanitary requirements which are uniform throughout this state and the United States is essential for the protection of consumers and the economic well-being of the dairy industry, and is therefore a matter of statewide concern; however, nothing in this section shall impair or abridge
the power of any municipality or county to regulate milk or fluid milk products under
sanitary requirements and standards which are in reasonable accord with those
established under this section or the power to impose reasonable license permit and
inspection fees which combined shall not exceed the cost of necessary inspection. A
municipality or county may not impose any fee for its inspection of milk producers,
dairy plant facilities or dairy products which are under the inspection supervision
of another governmental unit within or without the state with a valid certification
rating made or approved by the department of health and family services. No
governmental unit may impose or collect a fee directly from the producer. A license
or permit fee not to exceed $25 annually may be imposed on milk distributors
licensed under s. 97.22 and on dairy plants under the inspection supervision of
another governmental unit which are engaged in the distribution of milk within a
municipality or county.

SECTION 1758. 97.24 (4) (b) of the statutes is amended to read:

97.24 (4) (b) No sanitary requirement or standard established under this
section or contained in any ordinance may prohibit the sale of milk or fluid milk
products which are produced and processed under laws or rules of any governmental
unit, within or without this state, which are substantially equivalent to the
requirements of the rules promulgated under this section, and which are enforced
with equal effectiveness, as determined by a milk sanitation rating made or
approved by the department of health and family services, under rules promulgated
under this section.

SECTION 1759. 100.07 (6) of the statutes is amended to read:

100.07 (6) Action Upon request of the department of agriculture, trade, and
rural resources, an action to enjoin violation of this section may be commenced and
prosecuted by the department of justice in the name of the state in any court having
equity jurisdiction.

SECTION 1760. 100.171 (7) (b) of the statutes, as affected by 2001 Wisconsin Act
109, section 263, is amended to read:

100.171 (7) (b) Whoever intentionally violates this section is guilty of a Class I felony. A person intentionally violates this section if the violation occurs after the department of justice or a district attorney has notified the person by certified mail that the person is in violation of this section.

SECTION 1761. 100.171 (8) (intro.) of the statutes is amended to read:

100.171 (8) ENFORCEMENT. (intro.) The department of justice shall investigate violations of this section. The department of justice or any district attorney may on behalf of the state:

SECTION 1762. 100.173 (4) (intro.) of the statutes is amended to read:

100.173 (4) (intro.) The department of justice shall investigate violations of this section. The department of justice, or any district attorney upon informing the department of justice, may, on behalf of the state, do any of the following:

SECTION 1763. 100.173 (4) (a) of the statutes is amended to read:

100.173 (4) (a) Bring an action for temporary or permanent injunctive relief in any court of competent jurisdiction for any violation of this section. The relief sought by the department of justice or district attorney may include the payment by a promoter into an escrow account of an amount estimated to be sufficient to pay for ticket refunds. The court may, upon entry of final judgment, award restitution when appropriate to any person suffering loss because of violations of this section if proof of such loss is submitted to the satisfaction of the court.

SECTION 1764. 100.174 (5) (intro.) of the statutes is amended to read:
100.174 (5) (intro.) The department of justice or any district attorney may on
behalf of the state:

**SECTION 1765.** 100.174 (6) of the statutes is amended to read:

100.174 (6) The department of justice shall investigate violations of and
enforce this section.

**SECTION 1766.** 100.175 (5) (a) (intro.) of the statutes is amended to read:

100.175 (5) (a) (intro.) No person may collect or by contract require a buyer to
pay more than $100 for dating services before the buyer receives or has the
opportunity to receive those services unless the person selling dating services
establishes proof of financial responsibility by maintaining any of the following
commitments approved by the department of justice in an amount not less than
$25,000:

**SECTION 1767.** 100.175 (5) (b) of the statutes is amended to read:

100.175 (5) (b) The commitment described in par. (a) shall be established in
favor of or made payable to the state, for the benefit of any buyer who does not receive
a refund under the contractual provision described in sub. (3). The person selling
dating services shall file with the department of justice any agreement, instrument
or other document necessary to enforce the commitment against the person selling
dating services or any relevant 3rd party, or both.

**SECTION 1768.** 100.175 (7) (a) (intro.) of the statutes is amended to read:

100.175 (7) (a) (intro.) The department of justice or any district attorney may
on behalf of the state:

**SECTION 1769.** 100.175 (7) (b) of the statutes is amended to read:

100.175 (7) (b) The department of justice may bring an action in circuit court
to recover on a financial commitment maintained under sub. (5) against a person
selling dating services or relevant 3rd party, or both, on behalf of any buyer who does
not receive a refund due under the contractual provision described in sub. (3).

SECTION 1770. 100.177 (1) (bm) of the statutes is created to read:
100.177 (1) (bm) Notwithstanding s. 93.01 (3), “department” means the
department of justice.

SECTION 1771. 100.178 (1) (b) of the statutes is amended to read:
100.178 (1) (b) Notwithstanding s. 93.01 (3), “department” means the
department of health and family services justice.

SECTION 1772. 100.18 (11) (a) of the statutes is amended to read:
100.18 (11) (a) The department of agriculture, trade and consumer protection
justice shall enforce this section. Actions to enjoin violation of this section or any
regulations thereunder may be commenced and prosecuted by the department of
justice in the name of the state in any court having equity jurisdiction. This remedy
is not exclusive.

SECTION 1773. 100.18 (11) (b) 3. of the statutes is amended to read:
100.18 (11) (b) 3. No action may be commenced under this section more than
3 years after the occurrence of the unlawful act or practice which is the subject of the
action. No injunction may be issued under this section which would conflict with
general or special orders of the department of justice or any statute, rule or
regulation of the United States or of this state.

SECTION 1774. 100.18 (11) (c) 1. of the statutes is amended to read:
100.18 (11) (c) 1. Whenever the department of justice has reason to believe that
a person is in possession, custody or control of any information or documentary
material relevant to the enforcement of this section it may require that person to
submit a statement or report, under oath or otherwise, as to the facts and
circumstances concerning any activity in the course of trade or commerce; examine
under oath that person with respect to any activity in the course of trade or
commerce; and execute in writing and cause to be served upon such person a civil
investigative demand requiring the person to produce any relevant documentary
material for inspection and copying.

**SECTION 1775.** 100.18 (11) (c) 2. of the statutes is amended to read:

100.18 (11) (c) 2. The department of justice, in exercising powers under this
subsection, may issue subpoenas, administer oaths and conduct hearings to aid in
any investigation.

**SECTION 1776.** 100.18 (11) (c) 3. of the statutes is amended to read:

100.18 (11) (c) 3. Service of any notice by the department of justice requiring
a person to file a statement or report, or service of a subpoena upon a person, or
service of a civil investigative demand shall be made in compliance with the rules of
civil procedure of this state.

**SECTION 1777.** 100.18 (11) (c) 4. of the statutes is amended to read:

100.18 (11) (c) 4. If a person fails to file any statement or report, or fails to
comply with any civil investigative demand, or fails to obey any subpoena issued by
the department of justice, such person may be coerced as provided in s. 885.12, except
that no person shall be required to furnish any testimony or evidence under this
subsection which might tend to incriminate the person.

**SECTION 1778.** 100.18 (11) (d) of the statutes is amended to read:

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

SECTION 1779. 100.18 (11) (e) of the statutes is amended to read:

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

SECTION 1780. 100.182 (5) (a) of the statutes is amended to read:

100.182 (5) (a) Any district attorney, after informing the department of justice,
or the department of justice may seek a temporary or permanent injunction in circuit
court to restrain any violation of this section. Prior to entering a final judgment the
court may award damages to any person suffering monetary loss because of a
violation. The department of justice may subpoena any person or require the
production of any document to aid in investigating alleged violations of this section.
**SECTION 1781.** 100.182 (5) (b) of the statutes is amended to read:

> 100.182 (5) (b) In lieu of instituting or continuing an action under this subsection, the department of justice may accept a written assurance from a violator of this section that the violation has ceased. If the terms of the assurance so provide, its acceptance by the department of justice prevents all district attorneys from prosecuting the violation. An assurance is not evidence of a violation of this section but violation of an assurance is subject to the penalties and remedies of violating this section.

**SECTION 1782.** 100.20 (2) (a) of the statutes is amended to read:

> 100.20 (2) (a) The department of justice, after public hearing, may issue general orders forbidding methods of competition in business or trade practices in business which are determined by the department of justice to be unfair. The department of justice, after public hearing, may issue general orders prescribing methods of competition in business or trade practices in business which are determined by the department of justice to be fair.

**SECTION 1783.** 100.20 (2) (b) of the statutes is amended to read:

> 100.20 (2) (b) Notwithstanding par. (a), the department of justice may not issue any order or promulgate any rule that regulates the provision of water or sewer service by a manufactured home park operator, as defined in s. 101.91 (8), or manufactured home park contractor, as defined in s. 101.91 (6m), or enforce any rule to the extent that the rule regulates the provision of such water or sewer service.

**SECTION 1784.** 100.20 (3) of the statutes is amended to read:

> 100.20 (3) The department of justice, after public hearing, may issue a special order against any person, enjoining such person from employing any method of competition in business or trade practice in business which is determined by the
department of justice to be unfair or from providing service in violation of sub. (1t).
The department of justice, after public hearing, may issue a special order against any person, requiring such person to employ the method of competition in business or trade practice in business which is determined by the department of justice to be fair.

**SECTION 1785.** 100.20 (4) of the statutes is amended to read:

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

**SECTION 1786.** 100.20 (6) of the statutes is amended to read:

100.20 (6) The department of justice may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction the violation of any order issued under this section. The court may in its discretion, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, provided proof thereof is submitted to the satisfaction of the court. The department of justice may use its authority in ss. 93.14 and 93.15 to investigate violations of any order issued under this section.

**SECTION 1787.** 100.201 (6) (d) of the statutes is amended to read:
100.201 (6) (d) The failure to pay fees under this subsection within the time
provided under par. (c) is a violation of this section. The department of justice may
also commence an action to recover the amount of any overdue fees plus interest at
the rate of 2% per month for each month that the fees are delinquent.

SECTION 1788. 100.201 (8m) (intro.) of the statutes is amended to read:

100.201 (8m) JURISDICTION. (intro.) This section shall apply to transactions,
acts or omissions which take place in whole or in part outside this state. In any action
or administrative proceeding the department of justice has jurisdiction of the person
served under s. 801.11 when any act or omission outside this state by the defendant
or respondent results in local injury or may have the effect of injuring competition
or a competitor in this state or unfairly diverts trade or business from a competitor,
if at the time:

SECTION 1789. 100.201 (9) (b) of the statutes is amended to read:

100.201 (9) (b) The department of agriculture, trade, and rural resources, after
public hearing held under s. 93.18, may issue a special order against any person
requiring such person to cease and desist from acts, practices or omissions
determined by the department of agriculture, trade, and rural resources to violate
this section. Such orders shall be subject to judicial review under ch. 227. Any
violation of a special order issued hereunder shall be punishable as a contempt under
ch. 785 in the manner provided for disobedience of a lawful order of a court, upon the
filing of an affidavit by the department of justice of the commission of such violation
in any court of record in the county where the violation occurred.

SECTION 1790. 100.201 (9) (c) of the statutes is amended to read:

100.201 (9) (c) The department of justice, in addition to or in lieu of any other
remedies herein provided, may apply to a circuit court for a temporary or permanent
injunction to prevent, restrain or enjoin any person from violating this section or any
special order of the department of agriculture, trade, and rural resources issued
hereunder under this section, without being compelled to allege or prove that an
adequate remedy at law does not exist.

SECTION 1791. 100.205 (7) of the statutes is amended to read:

100.205 (7) The department of justice, or any district attorney on informing the
department of justice, may commence an action in circuit court in the name of the
state to restrain by temporary or permanent injunction any violation of this section.
The court may, before entry of final judgment and after satisfactory proof, make
orders or judgments necessary to restore to any person any pecuniary loss suffered
because of a violation of this section. The department of justice may conduct
hearings, administer oaths, issue subpoenas and take testimony to aid in its
investigation of violations of this section.

SECTION 1792. 100.205 (8) of the statutes is amended to read:

100.205 (8) The department of justice or any district attorney may commence
an action in the name of the state to recover a forfeiture to the state of not more than
$10,000 for each violation of this section.

SECTION 1793. 100.207 (1) of the statutes is renumbered 100.207 (1) (intro.)
and amended to read:

100.207 (1) DEFINITION DEFINITIONS. (intro.) In this section,
“telecommunications:

(b) “Telecommunications service” has the meaning given in s. 196.01 (9m).

SECTION 1794. 100.207 (1) (a) of the statutes is created to read:

100.207 (1) (a) Notwithstanding s. 93.01 (3), “department” means the
department of justice.
SECTION 1795. 100.207 (6) (b) 1. of the statutes is amended to read:

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

SECTION 1796. 100.207 (6) (b) 2. of the statutes is amended to read:

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

SECTION 1797. 100.207 (6) (c) of the statutes is amended to read:

100.207 (6) (c) Any person who violates subs. (2) to (4) shall be required to forfeit not less than $25 nor more than $5,000 for each offense. Forfeitures under this paragraph shall be enforced by the department of justice, after consulting with the department of agriculture, trade and consumer protection, or, upon informing the department, by the district attorney of the county where the violation occurs.
**SECTION 1798.** 100.207 (6) (em) 1. of the statutes is amended to read:

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

**SECTION 1799.** 100.207 (6) (em) 2. of the statutes is amended to read:

100.207 (6) (em) 2. The department shall submit the recommendations under subd. 1., if any, to the legislature as part of the report required under s. 227.19 (2) and to the board of agriculture, trade and consumer protection.

**SECTION 1800.** 100.208 (2) (intro.) of the statutes is amended to read:

100.208 (2) (intro.) The department of justice shall notify the public service commission if any of the following conditions exists:

**SECTION 1801.** 100.208 (2) (b) of the statutes is amended to read:

100.208 (2) (b) The department of justice has issued an order under s. 100.20 (3) prohibiting a telecommunications provider from engaging in an unfair trade practice or method of competition.

**SECTION 1802.** 100.209 (3) of the statutes is amended to read:

100.209 (3) RULES AND LOCAL ORDINANCES ALLOWED. This section does not prohibit the department of justice from promulgating a rule or from issuing an order consistent with its authority under this chapter that gives a subscriber greater rights than the rights under sub. (2) or prohibit a city, village or town from enacting an ordinance that gives a subscriber greater rights than the rights under sub. (2).

**SECTION 1803.** 100.209 (4) (b) of the statutes is amended to read:
100.209 (4) (b) The department of justice and the district attorneys of this state have concurrent authority to institute civil proceedings under this section.

SECTION 1804. 100.2095 (6) (b) of the statutes is amended to read:

100.2095 (6) (b) The department of justice may commence an action in the name of the state to restrain by temporary or permanent injunction a violation of sub. (3), (4) or (5). Before entry of final judgment, the court may make any necessary orders to restore to any person any pecuniary loss suffered by the person because of the violation.

SECTION 1805. 100.2095 (6) (c) of the statutes is amended to read:

100.2095 (6) (c) The department of justice or any district attorney may commence an action in the name of the state to recover a forfeiture to the state of not less than $100 nor more than $10,000 for each violation of sub. (3), (4) or (5).

SECTION 1806. 100.21 (2) (a) of the statutes is amended to read:

100.21 (2) (a) No person may make an energy savings or safety claim without a reasonable and currently accepted scientific basis for the claim when the claim is made. Making an energy savings or safety claim without a reasonable and currently accepted scientific basis is also an unfair method of competition and trade practice prohibited under s. 100.20.

SECTION 1807. 100.21 (4) (a) (intro.) of the statutes is amended to read:

100.21 (4) (a) (intro.) The department may, after public hearing, issue general or special orders under s. 100.20:

SECTION 1808. 100.22 (4) (b) of the statutes is amended to read:

100.22 (4) (b) The department of justice may, without alleging or proving that no other adequate remedy at law exists, bring an action on behalf of the department of agriculture, trade, and rural resources to enjoin violations of this section or a
special order issued under this section in the circuit court for the county where the
alleged violation occurred.

**SECTION 1808.** 100.235 (11) (a) of the statutes is amended to read:

100.235 (11) (a) *Forfeiture.* Any person who violates this section or any rule
promulgated or order issued under this section may be required to forfeit not less
than $100 nor more than $10,000. Notwithstanding s. 165.25 (1), the department
may commence an action to recover a forfeiture under this paragraph.

**SECTION 1810.** 100.26 (6) of the statutes is amended to read:

100.26 (6) The department, the department of justice, after consulting with the
department, or any district attorney may commence an action in the name of the
state to recover a civil forfeiture to the state of not less than $100 nor more than
$10,000 for each violation of *Any person violating* an injunction issued under s.
100.18, 100.182 or 100.20 (6). The department of agriculture, trade and consumer
protection or any district attorney may commence an action in the name of the state
to recover a civil is subject to a forfeiture of not less than $100 nor more than $10,000
for each violation. *Any person violating an order issued under s. 100.20 is subject
to a forfeiture to the state* of not less than $100 nor more than $10,000 for each
violation of an *order issued under s. 100.20."

**SECTION 1811.** 100.261 (1) of the statutes is amended to read:

100.261 (1) If a court imposes a fine or forfeiture for a violation of this chapter,
or ch. 98 or 133, a rule promulgated under this chapter or ch. 98 or 133, or an
ordinance enacted under this chapter or ch. 98 or 133, the court shall also impose a
consumer protection assessment in an amount equal to 25% of the fine or forfeiture
imposed. If multiple violations are involved, the court shall base the consumer
protection assessment upon the the total of the fine or forfeiture amounts for all
violations. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the assessment in proportion to the suspension.

SECTION 1812. 100.261 (2) of the statutes is amended to read:

100.261 (2) If any deposit is made for a violation to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the consumer protection assessment required under this section. If the deposit is forfeited, the amount of the consumer protection assessment shall be transmitted to the state treasurer secretary of administration under sub. (3). If the deposit is returned, the consumer protection assessment shall also be returned.

SECTION 1813. 100.261 (3) (a) of the statutes is amended to read:

100.261 (3) (a) The clerk of court shall collect and transmit the consumer protection assessment amounts to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration under s. 59.25 (3) (f) 2.

SECTION 1814. 100.261 (3) (b) of the statutes is amended to read:

100.261 (3) (b) The state treasurer shall deposit the consumer protection assessment amounts imposed for a violation of ch. 98, a rule promulgated under ch. 98, or an ordinance enacted under ch. 98 in the general fund and shall credit them to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par. (c).

SECTION 1815. 100.261 (3) (b) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

100.261 (3) (b) The state treasurer secretary of administration shall deposit the consumer protection assessment amounts imposed for a violation of ch. 98, a rule promulgated under ch. 98, or an ordinance enacted under ch. 98 in the general fund
and shall credit them to the appropriation account under s. 20.115 (1) (jb), subject to
the limit under par. (c).

SECTION 1816. 100.261 (3) (d) of the statutes is created to read:

100.261 (3) (d) The state treasurer shall deposit the consumer protection
assessment amounts imposed for a violation of this chapter or ch. 133, a rule
promulgated under this chapter or ch. 133, or an ordinance enacted under this
chapter in the general fund and shall credit them to the appropriation account under
s. 20.455 (1) (g), subject to the limit under par. (e).

SECTION 1817. 100.261 (3) (e) of the statutes is created to read:

100.261 (3) (e) The amount credited to the appropriation account under s.
20.455 (1) (g) may not exceed $375,000 in each fiscal year.

SECTION 1818. 100.263 of the statutes is amended to read:

100.263 Recovery. In addition to other remedies available under this chapter,
the court may award the department state the reasonable and necessary costs of
investigation and an amount reasonably necessary to remedy the harmful effects of
the violation and the court may award the department of justice the reasonable and
necessary expenses of prosecution, including attorney fees, from any person who
violates this chapter. The department and the department of justice amounts
awarded under this subsection shall deposit be deposited in the state treasury for
deposit in the general fund all moneys that the court awards to the department, the
department of justice or the state under this section. Ten percent of the money
deposited in the general fund that was awarded under this section for the costs of
investigation and the expenses of prosecution, including attorney fees, shall be
credited to the appropriation account under s. 20.455 (1) (gh).

SECTION 1819. 100.28 (4) (b) of the statutes is amended to read:
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100.28 (4) (b) In lieu of or in addition to forfeitures under par. (a), the department of justice may seek an injunction restraining any person from violating this section.

SECTION 1820. 100.28 (4) (c) of the statutes is amended to read:

100.28 (4) (c) The department of justice, or any district attorney upon the request of the department of justice, may commence an action in the name of the state under par. (a) or (b).

SECTION 1821. 100.31 (4) of the statutes is amended to read:

100.31 (4) Penalties. For any violation of this section, the department of justice or a district attorney may commence an action on behalf of the state to recover a forfeiture of not less than $100 nor more than $10,000 for each offense. Each delivery of a drug sold to a purchaser at a price in violation of this section and each separate day in violation of an injunction issued under this section is a separate offense.

SECTION 1822. 100.31 (5) of the statutes is amended to read:

100.31 (5) Special remedies. The department of justice or a district attorney may bring an action to enjoin a violation of this section without being compelled to allege or prove that an adequate remedy at law does not exist. An action under this subsection may be commenced and prosecuted by the department of justice or a district attorney, in the name of the state, in a circuit court in the county where the offense occurred or in Dane County, notwithstanding s. 801.50.

SECTION 1823. 100.37 (1) (am) of the statutes is created to read:

100.37 (1) (am) Notwithstanding s. 93.01 (3), “department” means the department of justice.

SECTION 1824. 100.38 (5) of the statutes is amended to read:
100.38 (5) INSPECTION. The department of justice shall enforce this section by
inspection, chemical analyses or any other appropriate method and the department
of justice may promulgate such rules as are necessary to effectively enforce this
section.

SECTION 1825. 100.38 (6) of the statutes is amended to read:

100.38 (6) ENFORCEMENT. It is unlawful to sell any antifreeze which is
adulterated or misbranded. In addition to the penalties provided under sub. (7), the
department of justice may bring an action to enjoin violations of this section.

SECTION 1826. 100.41 (1) (bn) of the statutes is created to read:

100.41 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
department of justice.

SECTION 1827. 100.42 (1) (cm) of the statutes is created to read:

100.42 (1) (cm) Notwithstanding s. 93.01 (3), “department” means the
department of justice.

SECTION 1828. 100.43 (1) (am) of the statutes is created to read:

100.43 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
department of justice.

SECTION 1829. 100.44 (5) of the statutes is amended to read:

100.44 (5) ENFORCEMENT. For any violation of sub. (3), the department of justice
may, on behalf of the state, bring an action in any court of competent jurisdiction for
the recovery of forfeitures authorized under sub. (4), for temporary or permanent
injunctive relief and for any other appropriate relief. The court may make any order
or judgment that is necessary to restore to any person any pecuniary loss suffered
because of a violation of sub. (3) if proof of the loss is shown to the satisfaction of the
court.
SECTION 1830. 100.46 (1) of the statutes is amended to read:

100.46 (1) ENERGY CONSERVATION STANDARDS. The department of justice may by rule adopt energy conservation standards for products that have been established in or promulgated under 42 USC 6291 to 6309.

SECTION 1831. 100.46 (2) of the statutes is amended to read:

100.46 (2) PROHIBITED ACTS; ENFORCEMENT. No person may sell at retail, install or cause to be installed any product that is not in compliance with rules promulgated under sub. (1). In addition to other penalties and enforcement procedures, the department of justice may apply to a court for a temporary or permanent injunction restraining any person from violating a rule adopted under sub. (1).

SECTION 1832. 100.50 (6) (b) of the statutes is amended to read:

100.50 (6) (b) In lieu of or in addition to the remedy under par. (a), the department of justice may seek an injunction restraining any person from violating this section.

SECTION 1833. 100.50 (6) (c) of the statutes is amended to read:

100.50 (6) (c) The department of justice, or any district attorney upon the request of the department of justice, may commence an action in the name of the state under par. (a) or (b).

SECTION 1834. 100.52 (1) (bn) of the statutes is created to read:

100.52 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the department of justice.

SECTION 1835. 101.055 (8) (b) of the statutes is amended to read:

101.055 (8) (b) A state employee who believes that he or she has been discharged or otherwise discriminated against by a public employer in violation of par. (ar) may file a complaint with the personnel commission alleging discrimination
or discharge, within 30 days after the employee received knowledge of the discrimination or discharge. A public employee other than a state employee who believes that he or she has been discharged or otherwise discriminated against by a public employer in violation of par. (ar) may file a complaint with the division of equal rights alleging discrimination or discharge, within 30 days after the employee received knowledge of the discrimination or discharge.

**SECTION 1836.** 101.055 (8) (c) of the statutes is amended to read:

101.055 (8) (c) Upon receipt of a complaint, the personnel commission or the division of equal rights, whichever is applicable, shall, except as provided in s. 230.45 (1m), investigate the complaint and determine whether there is probable cause to believe that a violation of par. (ar) has occurred. If the personnel commission or the division of equal rights finds probable cause it shall attempt to resolve the complaint by conference, conciliation or persuasion. If the complaint is not resolved, the personnel commission or the division of equal rights shall hold a hearing on the complaint within 60 days after receipt of the complaint unless both parties to the proceeding agree otherwise. Within 30 days after the close of the hearing, the personnel commission or the division of equal rights shall issue its decision. If the personnel commission or the division of equal rights determines that a violation of par. (ar) has occurred, it shall order appropriate relief for the employee, including restoration of the employee to his or her former position with back pay, and shall order any action necessary to ensure that no further discrimination occurs. If the personnel commission or the division of equal rights determines that there has been no violation of par. (ar), it shall issue an order dismissing the complaint.

**SECTION 1837.** 101.055 (8) (d) of the statutes is amended to read:
101.055 (8) (d) Orders of the personnel commission and the division of equal rights under this subsection are subject to judicial review under ch. 227.

Section 1838. 101.143 (4) (cc) 2. b. of the statutes is amended to read:

101.143 (4) (cc) 2. b. An applicant that is engaged in the expansion or redevelopment of brownfields, as defined in s. 560.13 (1) (a) 560.60 (1) (v), if federal or state financial assistance other than under this section, has been provided for that expansion or redevelopment.

Section 1839. 101.143 (9m) (g) 2. of the statutes is amended to read:

101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not exceed $342,000,000 $457,000,000 in principal amount, excluding any obligations that have been defeased under a cash optimization program administered by the building commission. In addition to this limit on principal amount, the building commission may contract revenue obligations under this subsection as the building commission determines is desirable to fund or refund outstanding revenue obligations, to pay issuance or administrative expenses, to make deposits to reserve funds, or to pay accrued or capitalized interest.

Section 1840. 101.175 (3) (intro.) of the statutes is amended to read:

101.175 (3) (intro.) The department, in consultation with the department of agriculture, trade and consumer protection justice, shall establish by rule quality standards for local energy resource systems which do not impede development of innovative systems but which do:

Section 1841. 101.563 (2) (a) of the statutes is amended to read:

101.563 (2) (a) Payments from calendar year 2000 dues. Notwithstanding s. 101.573 (3) (a), the department shall pay every city, village, and town that is entitled to payment under sub. (1) (a) the amount to which that city, village, or town would
have been entitled to receive on or before August 1, 2001, had the city, village, or town been eligible to receive a payment on that date. The department shall calculate the amount due under this paragraph as if every city, village, and town maintaining a fire department was eligible to receive a payment on that date. By the date on which the department provides a recertification to the state treasurer secretary of administration under par. (b) 1., the department shall certify to the state treasurer secretary of administration the amount to be paid to each city, village, and town under this paragraph. On or before August 1, 2002, the state treasurer secretary of administration shall pay the amount certified by the department under this paragraph to each such city, village, and town. The state treasurer secretary of administration may combine any payment due under this paragraph with any amount due to be paid on or before August 1, 2002, to the same city, village, or town under par. (b) 1.

**SECTION 1842.** 101.563 (2) (b) 1. of the statutes is amended to read:

101.563 (2) (b) 1. ‘Payments from calendar year 2001 dues.’ Notwithstanding s. 101.575 101.573 (3) (a), by the 30th day following July 30, 2002, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%, and certify to the state treasurer secretary of administration the proper amount to be paid from the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) (b) and s. 101.575. If the department has previously certified an amount to the state treasurer secretary of administration under s. 101.57 101.573 (3) (a) during calendar year 2002, the department shall recertify the amount in the manner provided under...
this subdivision. On or before August 1, 2002, the state treasurer secretary of administration shall pay the amounts certified or recertified by the department under this subdivision to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) and s. 101.575. The state treasurer secretary of administration may combine any payment due under this subdivision with any amount due to be paid on or before August 1, 2002, to the same city, village, or town under par. (a).

**SECTION 1843.** 101.563 (2) (b) 2. of the statutes is amended to read:

101.563 (2) (b) 2. ‘Payments from dues for calendar years 2002 to 2004.’

Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this subdivision, on or before May 1 in each year, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the state treasurer secretary of administration the proper amount to be paid from the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) (b) and s. 101.575. Annually, on or before August 1, the state treasurer secretary of administration shall pay the amounts certified by the department to each such city, village, and town. This paragraph applies only to payment of a proportionate share of fire department dues collected for calendar years 2002 to 2004.

**SECTION 1844.** 101.563 (2) (b) 3. of the statutes is amended to read:

101.563 (2) (b) 3. The amounts withheld under subds. 1. and 2. shall be disbursed to correct errors of the department or the commissioner of insurance. The department shall certify to the state treasurer secretary of administration the amount that must be disbursed to correct an error and the state treasurer secretary
of administration shall pay the amount to the specified city, village, or town. The
balance of the amount withheld in a calendar year under subds. subd. 1. or 2., as
applicable, which is not disbursed under this subdivision shall be included in the
total compiled by the department under subd. 2. for the next calendar year, except
that amounts withheld under subd. 2. from fire department dues collected for
calendar year 2004 that are not disbursed under this subdivision shall be included
in the total compiled by the department under s. 101.573 (3) (a) for the next calendar
year. If errors in payments exceed the amount withheld, adjustments shall be made
in the distribution for the next year.

SECTION 1845. 101.573 (1) of the statutes is amended to read:

101.573 (1) The department shall include in the compilation and certification
of fire department dues under sub. (3) 2% of the premiums paid to the state fire fund
for the insurance of any public property, other than state property. The department
shall notify the state treasurersecretary of administrationof the amount certified
under this subsection and the state treasurersecretary of administration shall
charge the amount to the state fire fund.

SECTION 1846. 101.573 (3) (a) of the statutes is amended to read:

101.573 (3) (a) On or before May 1 in each year, the department shall compile
the fire department dues paid by all insurers under s. 601.93 and the dues paid by
the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%
and certify to the state treasurersecretary of administrationthe proper amount to
be paid from the appropriation under s. 20.143 (3) (L) to each city, village, or town
entitled to fire department dues under s. 101.575. Annually, on or before August 1,
the state treasurersecretary of administration shall pay the amounts certified by the
department to the cities, villages and towns eligible under s. 101.575.
SECTION 1847. 101.573 (3) (b) of the statutes is amended to read:

101.573 (3) (b) The amount withheld under par. (a) shall be disbursed to correct errors of the department or the commissioner of insurance or for payments to cities, villages, or towns which are first determined to be eligible for payments under par. (a) after May 1. The department shall certify to the state treasurer secretary of administration, as near as is practical, the amount which would have been payable to the municipality if payment had been properly disbursed under par. (a) on or prior to May 1, except the amount payable to any municipality first eligible after May 1 shall be reduced by 1.5% for each month or portion of a month which expires after May 1 and prior to the eligibility determination. The state treasurer secretary of administration shall pay the amount certified to the city, village, or town. The balance of the amount withheld in a calendar year under par. (a) which is not disbursed under this paragraph shall be included in the total compiled by the department under par. (a) for the next calendar year. If errors in payments exceed the amount set aside for error payments, adjustments shall be made in the distribution for the next year.

SECTION 1848. 101.573 (4) of the statutes is amended to read:

101.573 (4) The department shall transmit to the treasurer of each city, village, and town entitled to fire department dues, a statement of the amount of dues payable to it, and the commissioner of insurance shall furnish to the state treasurer secretary of administration, upon request, a list of the insurers paying dues under s. 601.93 and the amount paid by each.

SECTION 1849. 102.07 (17m) of the statutes is amended to read:

102.07 (17m) A participant in a trial job under s. 49.147 (3) or a transitional subsidized private sector job under s. 49.147 (3m) is an employee of any employer
under this chapter for whom the participant is performing service at the time of the injury.

**SECTION 1850.** 102.28 (7) (a) of the statutes is amended to read:

102.28 (7) (a) If an employer who is currently or was formerly exempted by written order of the department under sub. (2) is unable to pay an award, judgment is rendered in accordance with s. 102.20 against that employer, and execution is levied and returned unsatisfied in whole or in part, payments for the employer’s liability shall be made from the fund established under sub. (8). If a currently or formerly exempted employer files for bankruptcy and not less than 60 days after that filing the department has reason to believe that compensation payments due are not being paid, the department in its discretion may make payment for the employer’s liability from the fund established under sub. (8). The state treasurer secretary of administration shall proceed to recover such payments from the employer or the employer’s receiver or trustee in bankruptcy, and may commence an action or proceeding or file a claim therefor. The attorney general shall appear on behalf of the state treasurer secretary of administration in any such action or proceeding. All moneys recovered in any such action or proceeding shall be paid into the fund established under sub. (8).

**SECTION 1851.** 102.63 of the statutes is amended to read:

102.63 **Refunds by state.** Whenever the department shall certify to the state treasurer secretary of administration that excess payment has been made under s. 102.59 or under s. 102.49 (5) either because of mistake or otherwise, the state treasurer secretary of administration shall within 5 days after receipt of such certificate draw an order against the fund in the state treasury into which such excess was paid, reimbursing such payor of such excess payment, together with
interest actually earned thereon if the excess payment has been on deposit for at least 6 months.

**SECTION 1852.** 102.81 (2) of the statutes is amended to read:

102.81 (2) The department may retain an insurance carrier or insurance service organization to process, investigate and pay claims under this section and may obtain excess or stop-loss reinsurance with an insurance carrier authorized to do business in this state in an amount that the secretary determines is necessary for the sound operation of the uninsured employers fund. In cases involving disputed claims, the department may retain an attorney to represent the interests of the uninsured employers fund and to make appearances on behalf of the uninsured employers fund in proceedings under ss. 102.16 to 102.29. Section 20.918 and subch. IV of ch. 16 do not apply to an attorney hired under this subsection. The charges for the services retained under this subsection shall be paid from the appropriation under s. 20.445 (1) (hp). The cost of any reinsurance obtained under this subsection shall be paid from the appropriation under s. 20.445 (1) (sm).

**SECTION 1853.** 102.85 (4) (c) of the statutes is amended to read:

102.85 (4) (c) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the uninsured employer assessment prescribed in this section. If the deposit is forfeited, the amount of the uninsured employer assessment shall be transmitted to the state treasurer under par. (d). If the deposit is returned, the uninsured employer assessment shall also be returned.

**SECTION 1854.** 102.85 (4) (d) of the statutes is amended to read:

102.85 (4) (d) The clerk of the court shall collect and transmit to the county treasurer the uninsured employer assessment and other amounts required under s.
59.40 (2) (m). The county treasurer shall then make payment to the state treasurer, secretary of administration as provided in s. 59.25 (3) (f) 2. The state treasurer, secretary of administration shall deposit the amount of the uninsured employer assessment, together with any interest thereon, in the uninsured employers fund as provided in s. 102.80 (1).

**SECTION 1855.** 103.10 (12) (a) of the statutes is repealed.

**SECTION 1856.** 103.10 (12) (bm) of the statutes is created to read:

103.10 (12) (bm) If the department initially finds that there is no probable cause to believe that a violation of sub. (11) (a) or (b) occurred as alleged in the complaint, the department may dismiss the complaint. The department shall, by a notice to be served with the findings, notify the parties of the complainant’s right to appeal the dismissal of the complaint by requesting a review of the findings by a hearing examiner, which review shall be based solely on the department’s record of the complaint. Service of the findings shall be made by certified mail, return receipt requested. If the hearing examiner determines that no probable cause exists, that determination is the final determination of the department and may be appealed under s. 227.52.

**SECTION 1857.** 103.10 (13) of the statutes is amended to read:

103.10 (13) **CIVIL ACTION.** (a) An employee who believes that his or her employer has violated sub. (11) (a) or (b), or the department, may bring an action in circuit court against an employer to recover damages caused by a violation of sub. (11) after the completion of an administrative proceeding, including judicial review, concerning the same violation seeking action, as described in sub. (12) (d), to remedy the violation and damages caused by the violation.
(b) An action commenced under par. (a) may be brought in the circuit court for the county where the violation occurred or for the county where the person against whom the action is filed resides or has a principal place of business, and shall be commenced within the later of the following periods, or be barred:

1. Within 60 days from after the completion of an administrative proceeding, including judicial review, concerning the same violation.

2. Twelve within 12 months after the violation occurred, or the department or employee should reasonably have known that the violation occurred. The 12-month statute of limitations under this subdivision shall be tolled while an administrative proceeding, including judicial review, concerning the same violation is pending.

SECTION 1858. 106.01 (11) of the statutes is repealed.

SECTION 1859. 106.09 (4) of the statutes is repealed.

SECTION 1860. 106.09 (5) of the statutes is amended to read:

106.09 (5) The department is authorized and directed to cooperate with the U.S. employment service in the administration of said act and in carrying out all agreements made thereunder its functions.

SECTION 1861. 106.09 (6) of the statutes is repealed.

SECTION 1862. 106.12 (title) of the statutes is amended to read:

106.12 (title) Governor’s work-based learning board council.

SECTION 1863. 106.12 (1) of the statutes is amended to read:

106.12 (1) Definition. In this section and s. 106.13, “board” “council” means the governor’s work–based learning board council.

SECTION 1864. 106.12 (1m) of the statutes is created to read:

106.12 (1m) Duties of council. The council shall oversee the planning, coordination, administration, and implementation of the youth apprenticeship,
school-to-work, and work-based learning programs under s. 106.13 (1) and such other employment and education programs as the governor may by executive order assign to the department. In providing that oversight, the council shall do all of the following:

(a) Identify the employment and education needs of the state and recommend to the governor goals for meeting those needs and steps to meet those goals.

(b) Review the provision of services and the allocation of funding and resources under the programs specified in this subsection and recommend to the governor a strategic plan for coordinating the provision of those services and for allocating that funding and those resources, consistent with the laws rules, and regulations governing those programs, so as to best respond to the employment and education needs identified in par. (a).

(c) Monitor the provision of services and the expenditure of funding and resources under the programs specified in this subsection and evaluate the effectiveness of those programs in meeting the employment and education needs of the participants in those programs.

(d) Determine whether any federal laws, regulations, or policies impede the effectiveness or coordination of any of the programs specified in this subsection and, if so, recommend that the department seek waivers of those laws, regulations, or policies.

(e) Recommend for approval by the department under s. 106.13 (2m) occupations for the youth apprenticeship program and statewide skill standards for school-to-work programs.
(f) Review and recommend for approval by the department a school-to-work program for children at risk, as defined in s. 118.153 (1) (a), provided by a nonprofit organization under s. 106.13 (4m).

(g) Provide uniform performance standards that assist in evaluating the effectiveness of the employment and education programs specified in this subsection.

(h) Annually, prepare and submit to the legislature under s. 13.172 (2) and to the governor a report on the activities of the council that includes recommendations regarding the employment and education programs specified in this subsection.

SECTION 1865. 106.12 (2) of the statutes is amended to read:

106.12 (2) EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. The board
Based on the recommendations of the council, the department shall plan, coordinate, administer, and implement the youth apprenticeship, school-to-work, and work-based learning programs under s. 106.13 (1) and such other employment and education programs as the governor may by executive order assign to the board department. Notwithstanding any limitations placed on the use of state employment and education funds under this section or s. 106.13 or under an executive order assigning an employment and education program to the board department, the board department may issue a general or special order waiving any of those limitations on finding that the waiver will promote the coordination of employment and education services.

SECTION 1866. 106.12 (3) of the statutes is amended to read:

106.12 (3) EXECUTIVE DIRECTOR. The governor shall appoint an executive director of the board council outside the classified service to serve at the pleasure of the governor. The executive director shall be in charge of the board’s administrative
functions assist the council in performing its duties under sub. (1m) and assist the department in administering the programs specified in sub. (2).

**SECTION 1867.** 106.12 (4) of the statutes is amended to read:

106.12 (4) **Publications and seminars.** The board department may provide publications and seminars relating to the employment and education programs administered by the board department and may establish a schedule of fees for those publications and seminars. Fees established under this subsection for publications and seminars provided by the board department may not exceed the actual cost incurred in providing those publications and seminars. The fees collected under this subsection shall be credited to the appropriation account under s. 20.445 (7) (1) (ga).

**SECTION 1868.** 106.13 (1) (intro.) of the statutes is amended to read:

106.13 (1) (intro.) The board department shall provide all of the following:

**SECTION 1869.** 106.13 (2) of the statutes is amended to read:

106.13 (2) The governor's work-based learning council, the council on workforce investment established under 29 USC 2821, the technical college system board, and the department of public instruction shall assist the board department of workforce development in providing the youth apprenticeship program, the school-to-work program, and the work-based learning program under sub. (1).

**SECTION 1870.** 106.13 (2m) of the statutes is amended to read:

106.13 (2m) The board After reviewing the recommendations of the council under s. 106.12 (1m) (e), the department shall approve occupations and maintain a list of approved occupations for the youth apprenticeship program and shall approve statewide skill standards for the school-to-work program. From the appropriation under s. 20.445 (7) (1) (a), the board department shall develop curricula for youth apprenticeship programs for occupations approved under this subsection.
Section 1871. 106.13 (3m) (b) (intro.) of the statutes is amended to read:

106.13 (3m) (b) (intro.) From the appropriation under s. 20.445 (7) (b) (1) (e), the board department shall award grants to applying local partnerships for the implementation and coordination of local youth apprenticeship programs. A local partnership shall include in its grant application the identity of each public agency, nonprofit organization, individual, and other person who is a participant in the local partnership, a plan to accomplish the implementation and coordination activities specified in subds. 1. to 6., and the identity of a fiscal agent who shall be responsible for receiving, managing, and accounting for the grant moneys received under this paragraph. Subject to par. (c), a local partnership that is awarded a grant under this paragraph may use the grant moneys awarded for any of the following implementation and coordination activities:

Section 1872. 106.13 (3m) (b) 6. of the statutes is amended to read:

106.13 (3m) (b) 6. Any other implementation or coordination activity that the board department may direct or permit the local partnership to perform.

Section 1873. 106.13 (4) (a) 1d. of the statutes is amended to read:

106.13 (4) (a) 1d. “Eligible employer” means an employer that is eligible to receive a grant under this subsection according to the criteria established by the board department under par. (d).

Section 1874. 106.13 (4) (b) of the statutes is amended to read:

106.13 (4) (b) From the appropriation under s. 20.445 (7) (1) (em), the board department may award a grant to a public agency or a nonprofit organization, or to an eligible employer that is responsible for the on-the-job training and supervision of a youth apprentice. A public agency or nonprofit organization that receives a grant under this subsection shall use the funds awarded under the grant to award training
grants to eligible employers that provide on-the-job training and supervision for youth apprentices. Subject to par. (c), a training grant provided under this subsection may be awarded to an eligible employer for each youth apprentice who receives at least 180 hours of paid on-the-job training from the eligible employer during a school year, as defined in s. 115.001 (13). The amount of a training grant may not exceed $500 per youth apprentice per school year. A training grant may not be awarded for any specific youth apprentice for more than 2 school years.

SECTION 1875. 106.13 (4) (c) of the statutes is amended to read:

106.13 (4) (c) Notwithstanding par. (b), the board department may award a training grant under this subsection to an eligible employer that provides less than 180 hours of paid on-the-job training for a youth apprentice during a school year, as defined in s. 115.001 (13), if the board department determines that it would be beneficial for the youth apprentice to receive on-the-job training from more than one eligible employer.

SECTION 1876. 106.13 (4) (d) of the statutes is amended to read:

106.13 (4) (d) The board department shall establish eligibility criteria for a grant under this subsection. That criteria shall specify that eligibility for a grant shall be limited to small employers, as determined by the board department, and to employers providing on-the-job training in employment areas determined by the board department. Notwithstanding sub. (5), those criteria need not be promulgated as rules.

SECTION 1877. 106.13 (4m) of the statutes is amended to read:

106.13 (4m) (a) The board After reviewing the recommendations of the council under s. 106.12 (1m) (f), the department may approve an innovative school-to-work program provided by a nonprofit organization for children at risk, as defined in s.
118.153 (1) (a), in a county having a population of 500,000 or more to assist those children at risk in acquiring employability skills and occupational-specific competencies before leaving high school. If the board department approves a program under this paragraph, the board department may award a grant, from the appropriation under s. 20.445 (7) (1) (ef), to the nonprofit organization providing the program and the nonprofit organization shall use the funds received under the grant to provide the program.

(b) The board department shall establish requirements for the operation of the grant program under this subsection. Notwithstanding sub. (5), those requirements need not be promulgated as rules.

Section 1878. 106.13 (5) of the statutes is amended to read:

106.13 (5) The board department shall promulgate rules to administer this section.

Section 1879. 106.15 (3) (intro.) of the statutes is amended to read:

106.15 (3) Grants. (intro.) From the appropriation appropriations under s. 20.445 (1) (bc), (jm), (mb) and (me) and (m), the department shall make grants to persons providing employment and training activities to dislocated workers including but not limited to all of the following:

Section 1880. 106.15 (7) of the statutes is amended to read:

106.15 (7) Funding. From the amounts appropriated under s. 20.445 (1) (ma), (mb) and (me) (m), all moneys received under 29 USC 2862 to 2864 shall be expended to fund grants and operations under this section.

Section 1881. 106.17 (2) of the statutes is amended to read:
106.17 (2) The collection and distribution of local labor market information under sub. (1) shall be funded only from the appropriations under s. 20.445 (1) (m), (ma) and (n).

**SECTION 1882.** 106.21 (title) of the statutes is repealed.

**SECTION 1883.** 106.21 (1) of the statutes is repealed.

**SECTION 1884.** 106.21 (2) of the statutes is repealed.

**SECTION 1885.** 106.21 (3) of the statutes is repealed.

**SECTION 1886.** 106.21 (4) of the statutes is repealed.

**SECTION 1887.** 106.21 (5) of the statutes is repealed.

**SECTION 1888.** 106.21 (6) of the statutes is repealed.

**SECTION 1889.** 106.21 (7) of the statutes is repealed.

**SECTION 1890.** 106.21 (8) of the statutes is repealed.

**SECTION 1891.** 106.21 (9) (a) of the statutes is repealed.

**SECTION 1892.** 106.21 (9) (b) of the statutes is repealed.

**SECTION 1893.** 106.21 (9) (c) of the statutes is repealed.

**SECTION 1894.** 106.21 (9) (e) of the statutes is repealed.

**SECTION 1895.** 106.21 (9) (f) of the statutes is repealed.

**SECTION 1896.** 106.21 (9) (g) 1. of the statutes is repealed.

**SECTION 1897.** 106.21 (9) (g) 2. of the statutes is renumbered 106.213 and amended to read:

106.213 *Wisconsin service corps education vouchers.* The An education voucher under s. 106.21 (9) (g) 1., 2001 stats., is valid for 3 years after the date of issuance for the payment of tuition and required program activity fees at any institution of higher education, as defined under s. 39.32 (1) (a), that accepts the
voucher and the department shall authorize payment to the institution of face value
of the voucher upon presentment.

SECTION 1898. 106.21 (10) of the statutes is repealed.

SECTION 1899. 106.21 (11) of the statutes is repealed.

SECTION 1900. 106.21 (12) of the statutes is repealed.

SECTION 1901. 106.21 (13) of the statutes is repealed.

SECTION 1902. 106.213 of the statutes, as created by 2003 Wisconsin Act ....

(this act), is repealed.

SECTION 1903. 106.215 (title) of the statutes is amended to read:

106.215 (title) Wisconsin conservation corps program Youth employment projects.

SECTION 1904. 106.215 (1) (intro.) of the statutes is repealed.

SECTION 1905. 106.215 (1) (a) of the statutes is repealed.

SECTION 1906. 106.215 (1) (b) of the statutes is repealed.

SECTION 1907. 106.215 (1) (c) of the statutes is repealed.

SECTION 1908. 106.215 (1) (cg) of the statutes is repealed.

SECTION 1909. 106.215 (1) (cm) of the statutes is repealed.

SECTION 1910. 106.215 (1) (d) of the statutes is repealed.

SECTION 1911. 106.215 (1) (e) of the statutes is repealed.

SECTION 1912. 106.215 (1) (f) of the statutes is repealed.

SECTION 1913. 106.215 (1) (fm) of the statutes is renumbered 977.01 (2) and
amended to read:

977.01 (2) “Public assistance” means relief provided by counties under s. 59.53
(21), Wisconsin works under ss. 49.141 to 49.161, aid to families with dependent
children under s. 49.19, medical assistance under subch. IV of ch. 49, low-income
energy assistance under s. 16.385, weatherization assistance under s. 16.39, and the food stamp program under 7 USC 2011 to 2029.

**SECTION 1914.** 106.215 (1) (g) of the statutes is repealed.

**SECTION 1915.** 106.215 (2) of the statutes is amended to read:

106.215 (2) **OBJECTIVES.** The board *department* shall develop guidelines for the Wisconsin conservation corps program *youth employment projects* funded under sub. (1m) designed to promote *the all of the following objectives of*:

(a) *Employment of young adults youth.* Providing employment for *young men and women youth* 14 years of age or over, but under 22 years of age, in all regions of the state.

(b) *Conservation.* Conserving, developing, enhancing, or maintaining the natural resources of this state through the implementation of projects *which that* have a long-term beneficial impact on the environment.

(c) *Personal development.* Encouraging and developing *work employment and life skills, discipline, and cooperation,* in project participants by providing meaningful work experiences and training and educational opportunities for *corps enrollees those participants.*

(d) *Human services.* Promoting the social well-being of children, the elderly, persons with disabilities, and persons with low incomes through the implementation of *human services projects that include human services activities.*

**SECTION 1916.** 106.215 (2) (e) of the statutes is created to read:

106.215 (2) (e) **Wages.** Providing project participants with a wage that is not less than the federal minimum wage or the applicable state minimum wage established under ch. 104, whichever is greater.

**SECTION 1917.** 106.215 (3) of the statutes is repealed.
1. **Section 1918.** 106.215 (3m) of the statutes is repealed.

2. **Section 1919.** 106.215 (4) of the statutes is repealed.

3. **Section 1920.** 106.215 (5) of the statutes is repealed.

4. **Section 1921.** 106.215 (6) of the statutes is repealed.

5. **Section 1922.** 106.215 (7) (title) of the statutes is repealed.

6. **Section 1923.** 106.215 (7) (a) of the statutes is repealed.

7. **Section 1924.** 106.215 (7) (am) of the statutes is repealed.

8. **Section 1925.** 106.215 (7) (b) of the statutes is repealed.

9. **Section 1926.** 106.215 (7) (c) of the statutes is renumbered 106.215 (1m) and amended to read:

   106.215 (1m) **Conservation Fund Appropriation Youth Employment Project Grants.** Notwithstanding par. (a), moneys appropriated under s. 20.445 (6) (1) (u) that are not derived from the forestation state tax under s. 70.58 may be utilized for any youth employment project approved by the board department regardless of whether the project consists in whole or in part of conservation activities. From those moneys, the department shall provide grants to community-based nonprofit organizations, as defined in s. 108.02 (19), for the provision of youth employment projects that are designed to meet the objectives specified in sub. (2) (a), (c), and (e) and one or more of the objectives specified in sub. (2) (b) and (d).

10. **Section 1927.** 106.215 (8) of the statutes is repealed.

11. **Section 1928.** 106.215 (8g) of the statutes is repealed.

12. **Section 1929.** 106.215 (8m) of the statutes is repealed.

13. **Section 1930.** 106.215 (9) of the statutes is repealed.

14. **Section 1931.** 106.215 (10) (title) of the statutes is repealed.
SECTION 1932. 106.215 (10) (a) of the statutes is repealed.

SECTION 1933. 106.215 (10) (b) of the statutes is repealed.

SECTION 1934. 106.215 (10) (c) of the statutes is repealed.

SECTION 1935. 106.215 (10) (e) of the statutes is repealed.

SECTION 1936. 106.215 (10) (f) of the statutes is repealed.

SECTION 1937. 106.215 (10) (fm) of the statutes is repealed.

SECTION 1938. 106.215 (10) (g) (title) and 1. of the statutes are repealed.

SECTION 1939. 106.215 (10) (g) 1m. of the statutes is repealed.

SECTION 1940. 106.215 (10) (g) 2. of the statutes is repealed.

SECTION 1941. 106.215 (10) (g) 2m. of the statutes is repealed.

SECTION 1942. 106.215 (10) (g) 3. of the statutes is renumbered 106.217 and amended to read:

106.217 Wisconsin conservation corps education vouchers. The An

education voucher under s. 106.215 (10) (g) 1m. or 2m., 2001 stats., is valid for 4 years

after the date of issuance for the payment of tuition and required program activity

fees at any institution of higher education, as defined in 20 USC 1002, that accepts

the voucher. The board department shall authorize payment to the institution of face

value of the voucher upon presentment.

SECTION 1943. 106.215 (10) (g) 4. of the statutes is repealed.

SECTION 1944. 106.215 (10) (h) of the statutes is repealed.

SECTION 1945. 106.215 (11) of the statutes is repealed.

SECTION 1946. 106.215 (12) of the statutes is repealed.

SECTION 1947. 106.215 (13) of the statutes is repealed.

SECTION 1948. 106.217 of the statutes, as affected by 2003 Wisconsin Act ....

(this act), is repealed.
1 **SECTION 1949.** 106.26 (4) of the statutes is repealed.

2 **SECTION 1950.** 106.50 (6) (c) 4. of the statutes is amended to read:

3 106.50 (6) (c) 4. If the department initially determines that there is no probable cause to believe that discrimination occurred as alleged in the complaint, it may dismiss those allegations. The department shall, by a notice to be served with the determination, notify the parties of the complainant’s right to appeal the dismissal of the claim to the secretary for a hearing on the issue alleging by requesting a review of the determination by a hearing examiner, which review shall be based solely on the department’s record of the complaint. Service of the determination shall be made by certified mail, return receipt requested. If the hearing examiner determines that no probable cause exists, that determination is the final determination of the department and may be appealed under par. (j).

4 **SECTION 1951.** 106.52 (4) (a) 4m. of the statutes is created to read:

5 106.52 (4) (a) 4m. If the department initially finds that there is no probable cause to believe that any act prohibited under sub. (3) has been or is being committed as alleged in the complaint, the department may dismiss the complaint. The department shall, by a notice to be served with the findings, notify the parties of the complainant’s right to appeal the dismissal of the complaint by requesting a review of the findings by a hearing examiner, which review shall be based solely on the department’s record of the complaint. Service of the findings shall be made by certified mail, return receipt requested. If the hearing examiner determines that no probable cause exists, that determination is the final determination of the department and may be appealed under par. (b).

6 **SECTION 1952.** 107.30 (10) of the statutes is amended to read:
“Mining damage appropriation” means the appropriation under s. 20.445 (4) (b) 20.143 (3) (a).

**SECTION 1953.** 107.31 (5) (a) (intro.) of the statutes is amended to read:

107.31 (5) (a) *Calculation.* (intro.) The mining damage reserve accumulation is calculated by subtracting the total amount of all mining damages awards paid from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980 or paid from the appropriation under s. 20.143 (3) (a) from the sum of:

**SECTION 1954.** 108.15 (6) (c) of the statutes is amended to read:

108.15 (6) (c) If such delinquency is finally established under s. 108.10, the fund’s treasurer shall, in case such unit receives a share of any state tax or any type of state aid, certify to the state treasurer secretary of administration the existence and amount of such delinquency.

**SECTION 1955.** 108.15 (6) (d) (intro.) of the statutes is amended to read:

108.15 (6) (d) (intro.) Upon receipt of such certification, the state treasurer secretary of administration shall withhold, from each sum of any such tax or aid thereafter payable to the government unit, until the delinquency is satisfied, the lesser of the following amounts:

**SECTION 1956.** 108.15 (6) (e) of the statutes is amended to read:

108.15 (6) (e) Any amount withheld by the state treasurer secretary of administration under par. (d) shall be paid by the state treasurer secretary of administration to the fund’s treasurer, who shall duly credit such payment toward satisfying the delinquency.

**SECTION 1957.** 108.161 (3) of the statutes is amended to read:

108.161 (3) Consistently with this chapter and said section 903, such moneys shall be used solely for benefits or employment security administration by the
department, including unemployment insurance, employment service, apprenticeship programs, and related statistical operations.

**SECTION 1958.** 108.161 (4) (c) of the statutes is amended to read:

108.161 (4) (c) Specifying that the appropriated amounts are available for obligation solely within the 2 years beginning on the appropriation law’s date of enactment. **This paragraph does not apply to the appropriation under s. 20.445 (1) (nd).**

**SECTION 1959.** 108.162 (3) of the statutes is amended to read:

108.162 (3) The amount obligated under this section during any fiscal year may not exceed the aggregate of all amounts credited under s. 108.161 (1), including amounts credited under s. 108.161 (8), reduced by the amount obligated under s. 20.445 (1) (nb) and (nd) and further reduced at the time of any obligation by the sum of the moneys obligated and charged against any of the amounts thus credited.

**SECTION 1960.** 108.20 (2) of the statutes is amended to read:

108.20 (2) All amounts received by the department for the administrative account shall be paid over to the state treasurer secretary of administration and credited to that account for the administration of this chapter and the employment service, for the payment of benefits chargeable to the account under s. 108.07 (5) and for the purposes specified in sub. (2m).

**SECTION 1961.** 111.335 (1) (cv) of the statutes is amended to read:

111.335 (1) (cv) Notwithstanding s. 111.322, it is not employment discrimination because of conviction record to refuse to employ in a position in the classified service, or in a position described in s. 230.08 (2) (k), or as a corps enrollee with the Wisconsin conservation corps under s. 106.215 (1) (c) a person who has been
convicted under 50 USC, Appendix, section 462 for refusing to register with the selective service system and who has not been pardoned.

**SECTION 1962.** 111.375 (1) of the statutes is amended to read:

111.375 (1) Except as provided under sub. (2), this subchapter shall be administered by the department. The department may make, amend and rescind such rules as are necessary to carry out this subchapter. The department or the commission may, by such agents or agencies as it designates, conduct in any part of this state any proceeding, hearing, investigation or inquiry necessary to the performance of its functions. The department shall preserve the anonymity of any employee who is the aggrieved party in a complaint of discrimination in promotion, compensation or terms and conditions of employment, of unfair honesty testing or of unfair genetic testing against his or her present employer until a determination as to probable cause has been made, unless the department determines that the anonymity will substantially impede the investigation.

**SECTION 1963.** 111.375 (2) of the statutes is amended to read:

111.375 (2) This subchapter applies to each agency of the state except that complaints of discrimination, unfair honesty testing or unfair genetic testing against the agency as an employer shall be filed with and processed by the personnel commission under s. 230.45 (1) (b). Decisions of the personnel commission are subject to review under ch. 227.

**SECTION 1964.** 111.39 (4) (bm) of the statutes is created to read:

111.39 (4) (bm) If the department initially finds that there is no probable cause to believe that any discrimination has been or is being committed, that unfair honesty testing has occurred or is occurring, or that unfair genetic testing has occurred or is occurring as alleged in the complaint, the department may dismiss the
complaint. The department shall, by a notice to be served with the findings, notify
the parties of the complainant's right to appeal the dismissal of the complaint by
requesting a review of the findings by a hearing examiner, which review shall be
based solely on the department's record of the complaint. Service of the findings shall
be made by certified mail, return receipt requested. If the hearing examiner
determines that no probable cause exists, that determination is the final
determination of the department and may be appealed under sub. (5).

Section 1965. 111.40 of the statutes is created to read:

111.40 Civil action. (1) Any person, including the state, alleging that
discrimination, unfair honesty testing, or unfair genetic testing has occurred may
bring a civil action seeking such action, as described in s. 111.39 (4) (c), as will
effectuate the purpose of this subchapter.

(2) An action commenced under sub. (1) may be brought in the circuit court for
the county where the alleged violation occurred or for the county where the person
against whom the action is filed resides or has a principal place of business, and shall
be commenced within 300 days after the alleged violation occurred. The 300-day
statute of limitations under this subsection shall be tolled while an administrative
proceeding concerning the same violation is pending.

Section 1966. 111.70 (1) (a) of the statutes is amended to read:

111.70 (1) (a) “Collective bargaining” means the performance of the mutual
obligation of a municipal employer, through its officers and agents, and the
representative of its municipal employees in a collective bargaining unit, to meet and
confer at reasonable times, in good faith, with the intention of reaching an
agreement, or to resolve questions arising under such an agreement, with respect to
wages, hours and conditions of employment, and with respect to a requirement of the
municipal employer for a municipal employee to perform law enforcement and fire
fighting services under s. 61.66, except as provided in sub. (4) (m) and s. 40.81 (3) and
except that a municipal employer shall not meet and confer with respect to any
proposal to diminish or abridge the rights guaranteed to municipal employees under
ch. 164. The duty to bargain, however, does not compel either party to agree to a
proposal or require the making of a concession. Collective bargaining includes the
reduction of any agreement reached to a written and signed document. The
municipal employer shall not be required to bargain on subjects reserved to
management and direction of the governmental unit except insofar as the manner
of exercise of such functions affects the wages, hours and conditions of employment
of the municipal employees in a collective bargaining unit and except as provided in
sub. (4) (p). In creating this subchapter the legislature recognizes that the municipal
employer must exercise its powers and responsibilities to act for the government and
good order of the jurisdiction which it serves, its commercial benefit and the health,
safety and welfare of the public to assure orderly operations and functions within its
jurisdiction, subject to those rights secured to municipal employees by the
constitutions of this state and of the United States and by this subchapter.

SECTION 1967. 111.70 (1) (b) of the statutes is amended to read:

111.70 (1) (b) “Collective bargaining unit” means a unit consisting of municipal
employees who are school district professional employees or of municipal employees
who are not school district professional employees that is determined by the
commission to be appropriate for the purpose of collective bargaining.

SECTION 1968. 111.70 (1) (dm) of the statutes is repealed.

SECTION 1969. 111.70 (1) (fm) of the statutes is repealed.

SECTION 1970. 111.70 (1) (nc) of the statutes is repealed.
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SECTION 1971. 111.70 (4) (cm) 5. of the statutes is amended to read:

111.70 (4) (cm) 5. ‘Voluntary impasse resolution procedures.’ In addition to the other impasse resolution procedures provided in this paragraph, a municipal employer and labor organization may at any time, as a permissive subject of bargaining, agree in writing to a dispute settlement procedure, including authorization for a strike by municipal employees or binding interest arbitration, which is acceptable to the parties for resolving an impasse over terms of any collective bargaining agreement under this subchapter. A copy of such agreement shall be filed by the parties with the commission. If the parties agree to any form of binding interest arbitration, the arbitrator shall give weight to the factors enumerated under subds. 7., 7g. and subd. 7r.

SECTION 1972. 111.70 (4) (cm) 5s. of the statutes is repealed.

SECTION 1973. 111.70 (4) (cm) 6. a. of the statutes is amended to read:

111.70 (4) (cm) 6. a. If in any collective bargaining unit a dispute relating to one or more issues, qualifying for interest arbitration under subd. 5s., in a collective bargaining unit to which subd. 5s. applies, has not been settled after a reasonable period of negotiation and after mediation by the commission under subd. 3. and other settlement procedures, if any, established by the parties have been exhausted, and the parties are deadlocked with respect to any dispute between them over wages, hours, and conditions of employment to be included in a new collective bargaining agreement, either party, or the parties jointly, may petition the commission, in writing, to initiate compulsory, final, and binding arbitration, as provided in this paragraph. At the time the petition is filed, the petitioning party shall submit in writing to the other party and the commission its preliminary final offer containing its latest proposals on all issues in dispute. Within 14 calendar days after the date
of that submission, the other party shall submit in writing its preliminary final offer on all disputed issues to the petitioning party and the commission. If a petition is filed jointly, both parties shall exchange their preliminary final offers in writing and submit copies to the commission at the time the petition is filed.

**SECTION 1973.** 111.70 (4) (cm) 6. am. of the statutes is amended to read:

111.70 (4) (cm) 6. am. Upon receipt of a petition to initiate arbitration, the commission shall make an investigation, with or without a formal hearing, to determine whether arbitration should be commenced. If in determining whether an impasse exists the commission finds that the procedures set forth in this paragraph have not been complied with and such compliance would tend to result in a settlement, it may order such compliance before ordering arbitration. The validity of any arbitration award or collective bargaining agreement shall not be affected by failure to comply with such procedures. Prior to the close of the investigation each party shall submit in writing to the commission its single final offer containing its final proposals on all issues in dispute that are subject to interest arbitration under this subdivision or under subd. 5s. in collective bargaining units to which subd. 5s. applies. If a party fails to submit a single, ultimate final offer, the commission shall close the investigation based on the last written position of the party. The municipal employer may not submit a qualified economic offer under subd. 5s. after the close of the investigation. Such final offers may include only mandatory subjects of bargaining, except that a permissive subject of bargaining may be included by a party if the other party does not object and shall then be treated as a mandatory subject. No later than such time, the parties shall also submit to the commission a stipulation, in writing, with respect to all matters which are agreed upon for inclusion in the new or amended collective bargaining agreement. The commission,
after receiving a report from its investigator and determining that arbitration should 
be commenced, shall issue an order requiring arbitration and immediately submit 
to the parties a list of 7 arbitrators. Upon receipt of such list, the parties shall 
alternately strike names until a single name is left, who shall be appointed as 
arbitrator. The petitioning party shall notify the commission in writing of the 
identity of the arbitrator selected. Upon receipt of such notice, the commission shall 
formally appoint the arbitrator and submit to him or her the final offers of the 
parties. The final offers shall be considered public documents and shall be available 
from the commission. In lieu of a single arbitrator and upon request of both parties, 
the commission shall appoint a tripartite arbitration panel consisting of one member 
selected by each of the parties and a neutral person designated by the commission 
who shall serve as a chairperson. An arbitration panel has the same powers and 
duties as provided in this section for any other appointed arbitrator, and all 
arbitration decisions by such panel shall be determined by majority vote. In lieu of 
selection of the arbitrator by the parties and upon request of both parties, the 
commission shall establish a procedure for randomly selecting names of arbitrators. 
Under the procedure, the commission shall submit a list of 7 arbitrators to the 
parties. Each party shall strike one name from the list. From the remaining 5 
names, the commission shall randomly appoint an arbitrator. Unless both parties 
to an arbitration proceeding otherwise agree in writing, every individual whose 
name is submitted by the commission for appointment as an arbitrator shall be a 
resident of this state at the time of submission and every individual who is 
designated as an arbitration panel chairperson shall be a resident of this state at the 
time of designation.

SECTION 1975. 111.70 (4) (cm) 7. of the statutes is repealed.
SECTION 1976. 111.70 (4) (cm) 7g. of the statutes is repealed.

SECTION 1977. 111.70 (4) (cm) 7r. (intro.) of the statutes is amended to read:

111.70 (4) (cm) 7r. ‘Other factors considered.’ (intro.) In making any decision under the arbitration procedures authorized by this paragraph, the arbitrator or arbitration panel shall also give weight to the following factors:

SECTION 1978. 111.70 (4) (cm) 7r. hm. of the statutes is created to read:

111.70 (4) (cm) 7r. hm. In a school district, a determination as to which party’s proposal best provides for a fundamental right to an equal opportunity for a sound basic education under article X, section 3, of the constitution.

SECTION 1979. 111.70 (4) (cm) 7r. ie. of the statutes is created to read:

111.70 (4) (cm) 7r. ie. Any state law or directive lawfully issued by a state legislative or administrative officer, body, or agency which places limitations on expenditures that may be made or revenues that may be collected by a municipal employer.

SECTION 1980. 111.70 (4) (cm) 7r. ir. of the statutes is created to read:

111.70 (4) (cm) 7r. ir. Economic conditions in the jurisdiction of the municipal employer.

SECTION 1981. 111.70 (4) (cm) 8m. a. and c. of the statutes are consolidated, renumbered 111.70 (4) (cm) 8m. and amended to read:

111.70 (4) (cm) 8m. ‘Term of agreement; reopening of negotiations.’ Except for the initial collective bargaining agreement between the parties and except as the parties otherwise agree, every collective bargaining agreement covering municipal employees subject to this paragraph other than school district professional employees shall be for a term of 2 years. No, but in no case may a collective bargaining agreement for any collective bargaining unit consisting of municipal
employees subject to this paragraph other than school district professional employees shall be for a term exceeding 3 years. c. No arbitration award may contain a provision for reopening of negotiations during the term of a collective bargaining agreement, unless both parties agree to such a provision. The requirement for agreement by both parties does not apply to a provision for reopening of negotiations with respect to any portion of an agreement that is declared invalid by a court or administrative agency or rendered invalid by the enactment of a law or promulgation of a federal regulation.

**SECTION 1982.** 111.70 (4) (cm) 8m. b. of the statutes is repealed.

**SECTION 1983.** 111.70 (4) (cm) 8p. of the statutes is repealed.

**SECTION 1984.** 111.70 (4) (cm) 8s. of the statutes is repealed.

**SECTION 1985.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

111.70 (4) (d) 2. a. The commission shall determine the appropriate collective bargaining unit for the purpose of collective bargaining and shall whenever possible, unless otherwise required under this subchapter, avoid fragmentation by maintaining as few collective bargaining units as practicable in keeping with the size of the total municipal work force. In making such a determination, the commission may decide whether, in a particular case, the municipal employees in the same or several departments, divisions, institutions, crafts, professions, or other occupational groupings constitute a collective bargaining unit. Before making its determination, the commission may provide an opportunity for the municipal employees concerned to determine, by secret ballot, whether or not they desire to be established as a separate collective bargaining unit. The commission shall not decide, however, that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both municipal employees who are
school district professional employees and municipal employees who are not school
district professional employees. The commission shall not decide, however, that any
other group of municipal employees constitutes an appropriate collective bargaining
unit if the group includes both professional employees and nonprofessional
employees, unless a majority of the professional employees vote for inclusion in the
unit. The commission shall not decide that any group of municipal employees
constitutes an appropriate collective bargaining unit if the group includes both craft
employees and noncraft employees unless a majority of the craft employees vote for
inclusion in the unit. The commission shall place the professional employees who are
assigned to perform any services at a charter school, as defined in s. 115.001 (1), in
a separate collective bargaining unit from a unit that includes any other professional
employees whenever at least 30% of those professional employees request an election
to be held to determine that issue and a majority of the professional employees at the
charter school who cast votes in the election decide to be represented in a separate
collective bargaining unit. Any vote taken under this subsection shall be by secret
ballot.

SECTION 1986. 111.70 (4) (p) of the statutes is created to read:

111.70 (4) (p) Additional mandatory subjects of bargaining in school districts.
1. In a school district, the municipal employer is required to bargain collectively with
respect to education policy, except that no dispute relating to an education policy
issue is subject to interest arbitration under par. (cm) 6. unless all parties to the
dispute agree, in writing, to make such an issue subject to interest arbitration under
par. (cm) 6.

2. Notwithstanding subd. 1., in a school district, if the municipal employer
makes a proposal that provides that employee compensation or performance
expectations are linked with student academic performance, the labor organization
may include in its single final offer under par. (cm) 6. am. any proposal to meet the
performance expectations, including a proposal affecting education policy.

SECTION 1987. 111.81 (5) of the statutes is amended to read:
111.81 (5) “Department” means the department of employment relations
administration.

SECTION 1988. 111.81 (5m) of the statutes is created to read:
111.81 (5m) “Assistant district attorney” includes an assignable prosecutor, as
defined in s. 978.001 (1c).

SECTION 1989. 111.815 (3) of the statutes is repealed.

SECTION 1990. 111.86 (2) of the statutes is amended to read:
111.86 (2) The department shall charge a state department or agency the
employer’s share of the cost related to grievance arbitration under sub. (1) for any
arbitration that involves one or more employees of the state department or agency.
Each state department or agency so charged shall pay the amount that the
department charges from the appropriation account or accounts used to pay the
salary of the grievant. Funds received under this subsection shall be credited to the
appropriation account under s. 20.512 (1) (km) 20.505 (1) (ko).

SECTION 1991. 111.91 (2) (c) of the statutes is amended to read:
111.91 (2) (c) Disciplinary actions and position abandonments governed by s.
230.34 (1) (a) (ah), (am) and (ar), except as provided in those paragraphs.

SECTION 1992. 111.91 (2) (j) of the statutes is amended to read:
111.91 (2) (j) Creditable service to which s. 40.25 (7) (f) 40.285 (2) (b) 4. applies.

SECTION 1993. 114.33 (10) of the statutes is amended to read:
114.33 (10) Subject to the approval of the governor under this subsection, the
secretary may sell at public or private sale property of whatever nature owned by the
state and under the jurisdiction of the secretary when the secretary determines that
the property is no longer necessary for the state’s use for airport purposes and, if real
property, the real property is not the subject of a petition under s. 16.375 560.9810.
The secretary shall present to the governor a full and complete report of the property
to be sold, the reason for the sale, and the minimum price for which the property
should be sold, together with an application for the governor’s approval of the sale.
The governor shall investigate the proposed sale as he or she deems necessary and
approve or disapprove the application. Upon approval and receipt of the full
purchase price, the secretary shall by appropriate deed or other instrument transfer
the property to the purchaser. The funds derived from the sale shall be deposited in
the appropriate airport fund, and the expense incurred by the secretary in
connection with the sale shall be paid from that fund.

SECTION 1994. 115.28 (25) of the statutes is repealed.

SECTION 1995. 115.28 (30) (b) 1. to 6. of the statutes are amended to read:

115.28 (30) (b) 1. Two One full-time consultants consultant in agriculture education.

2. Two One full-time consultants consultant in business education.

3. Two One full-time consultants consultant in technology education.

4. Two One full-time consultants consultant in family and consumer sciences education.

5. Two One full-time consultants consultant in marketing education.

6. One full-time half-time consultant in health science education.

SECTION 1996. 115.29 (4) of the statutes is renumbered 115.29 (4) (a).
SECTION 1997. 115.29 (4) (b) of the statutes is created to read:

115.29 (4) (b) Promulgate rules establishing fees for issuing a declaration of equivalency of high school graduation or a general educational development certificate under par. (a). The rules may provide exemptions from the fees based on financial need.

SECTION 1998. 115.345 (5) of the statutes is amended to read:

115.345 (5) The school board may file a claim with the department for reimbursement for reasonable expenses incurred, excluding capital equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per meal, whichever is less. Any cost in excess of the lesser amount may be charged to participants. If the department approves the claim, it shall certify that payment is due and the state treasurer secretary of administration shall pay the claim from the appropriation under s. 20.255 (2) (cn).

SECTION 1999. 115.882 of the statutes is amended to read:

115.882 Payment of state aid. Funds appropriated under s. 20.255 (2) (b) shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b) under ss. 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be reimbursed at a rate set to distribute the full amount appropriated for reimbursement for the costs, less the amount paid by the department of health and family services under s. 20.435 (4) (hm) and (o) under s. 49.45 (39) (b) 1m., not to exceed 100%.

SECTION 2000. Subchapter VIII (title) of chapter 115 [precedes 115.997] of the statutes is created to read:

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SUBCHAPTER VIII

TECHNOLOGY FOR

EDUCATIONAL ACHIEVEMENT

SECTION 2001. 115.997 (3p) of the statutes is created to read:

115.997 (3p) “Public museum” means a nonprofit or publicly owned museum located in this state that is accredited by the American Association of Museums or an educational center that is affiliated with such a museum.

SECTION 2002. 115.997 (4) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

115.997 (4) “Telecommunications” has the meaning given in s. 22.01 16.97 (10).

SECTION 2003. 115.999 (3m) of the statutes is created to read:

115.999 (3m) LOAN FORGIVENESS. To the extent that sufficient moneys are available in the appropriation account under s. 20.255 (4) (mp) after payment of the administrative expenses specified in s. 20.255 (4) (mp), the department shall use 50% of those available moneys to forgive the repayment of loans provided to school districts and public library boards under this section, including loans to municipalities on behalf of public library boards, and 50% of those available moneys to reimburse s. 20.255 (4) (er) and (es) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance under this section and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m). If the moneys available to forgive the repayment of loans provided to school districts and public library boards under this section, including loans to municipalities on behalf of public library boards, is insufficient to forgive the repayment of all of those loans, the department shall forgive the repayment of those loans on a prorated basis.
SECTION 2004. 115.9995 (3) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

115.9995 (3) The department of public instruction shall submit an annual report to the department of administration on the status of providing data lines and video links that are requested under sub. (2) (a) and the impact on the universal service fund of any payment under contracts under s. 16.974 16.971 (13) to (16).

SECTION 2005. 115.9995 (6) (a) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

115.9995 (6) (a) From the appropriation under s. 20.255 (4) (s) or (tm), the department may award an annual grant to a school district or private school that had in effect on October 14, 1997, a contract for access to a data line or video link, as documented by the department. The department shall determine the amount of the grant, which shall be equal to the cost incurred by the state to provide telecommunications access to a school district or private school under a contract entered into under s. 16.974 (1) or (3) 16.971 (13) or (15) less the amount that the school district or private school would be paying under sub. (2) (d) if the school district or private school were participating in the program established under sub. (1), except that the amount may not be greater than the cost that a school district or private school incurs under the contract in effect on October 14, 1997. A school district or private school receiving a grant under this subsection is not eligible to participate in the program under sub. (1). No grant may be awarded under this subsection after December 31, 2005.

SECTION 2006. 118.153 (1) (a) (intro.) of the statutes is amended to read:

118.153 (1) (a) (intro.) “Children at risk” means pupils in grades 5 to 12 who are at risk of not graduating from high school because they failed the high school
graduation examination administered under s. 118.30 (1m) (d), are dropouts, or are
2 or more of the following:

SECTION 2007. 118.153 (4) (b) of the statutes is amended to read:

118.153 (4) (b) Upon receipt of a school board's annual report under par. (a) the
state superintendent shall pay to the school district from the appropriation under s.
20.255 (2) (bc), for each pupil enrolled in a program for children at risk who achieved
at least 3 of the objectives under par. (c) in the previous school year, additional state
aid in an amount equal to 10% of the school district's average per pupil aids provided
under s. 20.835 (7) (a), 1991stats., and s. 20.255 (2) (ac) and (r) in the previous school
year.

SECTION 2008. 118.153 (4) (c) 3. of the statutes is amended to read:

118.153 (4) (c) 3. The pupil, if a high school senior, received a high school
diploma or passed the high school graduation examination administered under s.
118.30 (1m) (d).

SECTION 2009. 118.245 of the statutes is repealed.

SECTION 2010. 118.30 (1) (a) of the statutes is renumbered 118.30 (1).

SECTION 2011. 118.30 (1) (b) of the statutes is repealed.

SECTION 2012. 118.30 (1g) (b) of the statutes is repealed.

SECTION 2013. 118.30 (1m) (d) of the statutes is repealed.

SECTION 2014. 118.30 (1r) (a) 1. of the statutes is amended to read:

118.30 (1r) (a) 1. Except as provided in sub. (6), administer the 4th grade
examination adopted or approved by the state superintendent under sub. (1) (a) to
all pupils enrolled in the charter school in the 4th grade.

SECTION 2015. 118.30 (1r) (am) 1. of the statutes is amended to read:
118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade examination adopted or approved by the state superintendent under sub. (1) (a) to all pupils enrolled in the charter school in the 8th grade.

SECTION 2016. 118.30 (1r) (d) of the statutes is repealed.

SECTION 2017. 118.30 (2) (e) of the statutes is repealed.

SECTION 2018. 118.33 (1) (f) 1. of the statutes is amended to read:

118.33 (1) (f) 1. By September 1, 2004, each school board operating high school grades shall develop a written policy specifying criteria for granting a high school diploma that are in addition to the requirements under par. (a). The criteria shall include the pupil's score on the examination administered under s. 118.30 (1m) (d), the pupil's academic performance, and the recommendations of teachers. Except as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located in the school district.

SECTION 2019. 118.33 (1) (f) 2. of the statutes is amended to read:

118.33 (1) (f) 2. By September 1, 2004, each operator of a charter school under s. 118.40 (2r) that operates high school grades shall develop a policy specifying criteria for granting a high school diploma. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1r) (d), the pupil's academic performance, and the recommendations of teachers.

SECTION 2020. 118.34 (4) of the statutes is repealed.

SECTION 2021. 118.40 (2r) (e) 1. of the statutes is amended to read:

118.40 (2r) (e) 1. From the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this subdivision in the previous school year and the amount of revenue increase in the per pupil allowed under subch. VII of ch.
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121 amount paid to private schools under s. 119.23 (4) (b) 2, in the current school year
as compared to the previous school year, multiplied by the number of pupils
attending the charter school. The amount paid per pupil may not be less than the
amount paid per pupil under this subdivision in the previous school year. The
department shall pay 25% of the total amount in September, 25% in December, 25%
in February, and 25% in June. The department shall send the check to the operator
of the charter school.

SECTION 2022. 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
(2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to
118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291,
118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13
(1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35) and (37), 120.14 and 120.25 are
applicable to a 1st class city school district and board.

SECTION 2023. 119.23 (4) (b) 2. of the statutes is amended to read:

119.23 (4) (b) 2. The sum of the amount paid per pupil under this subsection
paragraph in the previous school year and the amount of revenue increase per pupil
allowed under subch. VII of ch. 121 in the current school year multiplied by the sum
of 1.0 plus the percentage change from the previous school year to the current school
year in the total amount appropriated under s. 20.255 (2) (ac) and (r) expressed as
a decimal, but not less than zero.

SECTION 2024. 119.72 of the statutes is repealed.

SECTION 2025. 119.73 of the statutes is amended to read:
119.73 Kindergarten and early-childhood programs. The board shall evaluate the effectiveness of the expanded 5-year-old kindergarten programs under s. 119.71 and the early childhood education programs under s. 119.72 in meeting the needs of disadvantaged children. Annually by January 1, the board shall submit a report summarizing its findings to the state superintendent and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

Section 2026. 119.80 of the statutes is repealed.

Section 2027. 119.82 (1) (a) of the statutes is renumbered 119.82 (1m).

Section 2028. 119.82 (1) (b) of the statutes is renumbered 119.82 (2m) and amended to read:

119.82 (2m) Programs under par. (a) sub. (1m) shall be designed to meet the high school graduation requirements under s. 118.33.

Section 2029. 119.82 (2) of the statutes is repealed.

Section 2030. 119.82 (3) of the statutes is repealed.

Section 2031. 119.82 (5) of the statutes is repealed.

Section 2032. 120.18 (1) (i) of the statutes is amended to read:

120.18 (1) (i) A description of the educational technology used by the school district, including the uses made of the technology, the cost of the technology, and the number of persons using or served by the technology. In this paragraph, “educational technology” has the meaning given in s. 44.70 115.997 (3).

Section 2033. 121.007 of the statutes is amended to read:

121.007 Use of state aid; exemption from execution. All moneys paid to a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr) and (r) shall be used by the school district solely for the purposes for which paid. Such moneys are exempt
from execution, attachment, garnishment, or other process in favor of creditors, except as to claims for salaries or wages of teachers and other school employees and as to claims for school materials, supplies, fuel, and current repairs.

**SECTION 2034.** 121.07 (7) (b) of the statutes is amended to read:

121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount, rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09 and 121.85 (6) (b) 2. and 3. and (c), fully distributes an amount equal to the amount remaining in the appropriation under s. 20.255 (2) (ac) plus $75,000,000 in the 1997–98 school year and $100,000,000 in the 1998–99 school year for payments under ss. 121.08, 121.105, 121.85 (6) (a) and (g) and 121.86 (r).

**SECTION 2035.** 121.08 (2) of the statutes is amended to read:

121.08 (2) The aid computed under sub. (1) shall be reduced by the sum of the amount by which the school district equalized valuation exceeds the secondary guaranteed valuation, multiplied by the secondary required levy rate, and the amount by which the school district equalized valuation exceeds the tertiary guaranteed valuation, multiplied by the tertiary required levy rate. In no case may the aid under this section be less than the amount under sub. (1) (a) zero.

**SECTION 2036.** 121.08 (4) (a) (intro.) of the statutes is amended to read:

121.08 (4) (a) (intro.) The amount of state aid that a school district is eligible to be paid from the appropriation under s. 20.255 (2) (ac) and (r) shall be reduced by the amount determined as follows:

**SECTION 2037.** 121.08 (4) (a) 2. of the statutes is amended to read:

121.08 (4) (a) 2. Divide the sum under subd. 1. by the total amount of state aid that all school districts are eligible to be paid from the appropriation.
under s. 20.255 (2) (ac) and (r), calculated as if the reduction under par. (b) had not occurred.

**SECTION 2038.** 121.08 (4) (a) 3. of the statutes is amended to read:

121.08 (4) (a) 3. Multiply the amount of state aid that the school district is eligible to be paid from the appropriation under s. 20.255 (2) (ac) and (r), calculated as if the reduction under par. (b) had not occurred, by the quotient under subd. 2.

**SECTION 2039.** 121.08 (4) (b) of the statutes is amended to read:

121.08 (4) (b) The amount of state aid that the school district operating under ch. 119 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) and (r) shall also be reduced by 45% of the amounts paid under s. 119.23 (4) and (4m) in the current school year.

**SECTION 2040.** 121.09 (1) of the statutes is amended to read:

121.09 (1) If, on or after July 1, 1980, the office of the commissioner of tax appeals or a court makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is lower than the previous assessment, or if, on or after January 1, 1982, the state board of assessors makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is lower than the previous assessment, the school board of the school district in which the property is located may, within 4 years after the date of the determination, decision, or judgment, file the determination of the state board of assessors, the decision of the office of the commissioner of tax appeals, or the judgment of the court with the state superintendent, requesting an adjustment in state aid to the school district. If the state superintendent determines that the determination, decision, or judgment is final and that it has been filed
within the 4-year period, the state shall pay to the school district in the subsequent
fiscal year, from the appropriation under s. 20.255 (2) (ac), an amount equal to the
difference between the state aid computed under s. 121.08 for the school year
commencing after the year subject to the valuation recertification, using the school
district’s equalized valuation as originally certified, and the state aid computed
under s. 121.08 for that school year using the school district’s equalized valuation as
recertified under s. 70.57 (2).

SECTION 2041. 121.09 (2) of the statutes is amended to read:

121.09 (2) If, on or after May 3, 1984, the state board of assessors, the office of
the commissioner of tax appeals commission or a court makes a final
redetermination on the assessment of property subject to taxation under s. 70.995
that is higher than the previous assessment, the state superintendent shall notify
the school district in which the property is located of the recertification by the
department of revenue under s. 70.57 (2). The state superintendent shall, in the
subsequent fiscal year, withhold from the school district’s state aid entitlement
under s. 121.08 an amount equal to the difference between the state aid computed
under s. 121.08 for the school year commencing after the year subject to the valuation
recertification, using the school district’s equalized valuation as originally certified,
and the state aid computed under s. 121.08 for that school year, using the school
district’s equalized valuation as recertified under s. 70.57 (2).

SECTION 2042. 121.15 (3m) of the statutes is repealed.

SECTION 2043. 121.905 (1) of the statutes is amended to read:

121.905 (1) In this section, “revenue ceiling” means $6,700–$7,400 in the
2001–02 2003–04 school year and in any subsequent school year means $6,800
$7,800.
SECTION 2044. 125.14 (2) (e) of the statutes is amended to read:

125.14 (2) (e) Disposal. The department shall dispose of the alcohol beverages turned over to it by the court by either giving it to law enforcement agencies free of charge for use in criminal investigations, giving it to state-operated veterans' hospitals in amounts needed for medicinal purposes, selling it to the highest bidder if the bidder is a person holding a license or permit issued under this chapter, or destroying it, at the discretion of the department. If the department elects to sell the alcohol beverages, it shall publish a class 2 notice under ch. 985 asking for sealed bids from qualified bidders. Any items or groups of items in the inventory subject to a security interest, the existence of which was established in the proceedings for conviction as being bona fide and as having been created without the secured party having notice that the items were being used or were to be used in connection with the violation, shall be sold separately. The net proceeds from the sale, less all costs of seizure, storage, and sale, shall be turned over to the state treasurer secretary of administration and credited to the common school fund.

SECTION 2045. 125.14 (2) (f) of the statutes is amended to read:

125.14 (2) (f) Sale. Any personal property, other than alcohol beverages, seized under par. (a) and fit for sale, shall be turned over by the department to the department of administration for disposal at public auction to the highest bidder, at a time and place stated in a notice of sale which describes the property to be sold. The sale shall be held in a conveniently accessible place in the county where the property was confiscated. A copy of the notice shall be published as a class 2 notice under ch. 985. The last insertion shall be at least 10 days before the sale. The department of revenue shall serve a copy of the notice of sale at least 2 weeks before the date thereof on all persons who are or may be owners or holders of security
interests in the property. Any confiscated property worth more than $100 shall be
sold separately, and the balance of the confiscated property shall be sold in bulk or
separately at the discretion of the department of administration. The net proceeds
from the sale, less all costs of seizure, storage, and sale, shall be turned over to the
state treasurer secretary of administration. No motor vehicle or motorboat
confiscated under this section may be sold within 30 days after the date of seizure.

SECTION 2046. 134.50 (2) of the statutes is amended to read:

134.50 (2) Every poultry dealer shall keep a record of all purchases of poultry
made by the poultry dealer showing in detail the place and date of purchase and the
name and address of the person from whom the purchase was made, together with
a general description of the kind of poultry purchased. Such record shall be kept in
permanent form and be open to inspection at all reasonable times to any district
attorney, assistant district attorney, sheriff, deputy sheriff or any police officer.

SECTION 2047. 134.71 (12) of the statutes is amended to read:

134.71 (12) APPLICATIONS AND FORMS. The department of agriculture, trade and
consumer protection, in consultation with the department of justice, shall develop
applications and other forms required under subs. (5) (intro.) and (8) (c). The
department of agriculture, trade and consumer protection shall print a sufficient
number of applications and forms to provide to counties and municipalities for
distribution to pawnbrokers, secondhand article dealers and secondhand jewelry
dealers at no cost.

SECTION 2048. 134.80 of the statutes is amended to read:

134.80 Home heating fuel dealers. Any dealer selling fuel of any kind for
the purpose of heating a private residence shall notify each private residential
customer whose account is subject to disconnection of the existence of the fuel
assistance programs provided by the department of administration under s. 16.385
16.27.

**SECTION 2049.** 136.03 (title) of the statutes is amended to read:

136.03 (title) **Duties of the department of agriculture, trade and consumer protection justice.**

**SECTION 2050.** 136.03 (1) (intro.) of the statutes is amended to read:

136.03 (1) (intro.) **The department of agriculture, trade and consumer protection justice** shall investigate violations of this chapter and of rules and orders issued under s. 136.04. The **department of justice** may subpoena persons and records to facilitate its investigations, and may enforce compliance with such subpoenas as provided in s. 885.12. The **department of justice** may in on behalf of the state:

**SECTION 2051.** 136.04 of the statutes is amended to read:

136.04 **Powers of the department of agriculture, trade and consumer protection justice.** (1) The department of agriculture, trade and consumer protection justice may adopt such rules as may be required to carry out the purposes of this chapter.

(2) The department of agriculture, trade and consumer protection justice after public hearing may issue general or special orders to carry out the purposes of this chapter and to determine and prohibit unfair trade practices in business or unfair methods of competition in business pursuant to s. 100.20 (2) to (4).

**SECTION 2052.** 138.052 (5) (am) 2. a. of the statutes is amended to read:

138.052 (5) (am) 2. a. **On January 1, 1994, and annually thereafter** Annually, the division of banking for banks, the division of savings institutions for savings and loan associations, and savings banks, and the office of credit unions for credit unions, shall determine the interest rate that is the average of the interest rates paid,
rounded to the nearest one-hundredth of a percent, on regular passbook deposit
accounts by institutions under the division’s or office’s jurisdiction at the close of the
last quarterly reporting period that ended at least 30 days before the determination
is made.

SECTION 2053. 138.052 (5) (am) 2. b. of the statutes is amended to read:

138.052 (5) (am) 2. b. The office of credit unions and the division of banking
shall report the rate calculated to the division of savings institutions within Within
5 days after the date on which the determination is made. The the division of savings
institutions banking shall calculate the average, rounded to the nearest
one-hundredth of a percent, of the 3 rates determined by the division of banking and
the office of credit unions and report that interest rate to the revisor of statutes
within 5 days after the date on which the determination is made.

SECTION 2054. 138.055 (4) (a) of the statutes is repealed.

SECTION 2055. 138.056 (1) (a) 4. a. of the statutes is repealed.

SECTION 2056. 139.10 (title) of the statutes is amended to read:

139.10 (title) Refunds by state treasurer secretary of administration.

SECTION 2057. 139.10 (1) of the statutes is amended to read:

139.10 (1) On the certificate of the secretary, the state treasurer secretary of
administration shall refund to any purchaser or any banking institution in
Wisconsin the tax paid on intoxicating liquor or on whole cases or full kegs of
fermented malt beverages which are spoiled or unfit to drink and the tax paid on
fermented malt beverages sold to the U.S. armed forces or the secretary may make
allowance of the amount of the tax.

SECTION 2058. 139.39 (4) of the statutes is amended to read:
139.39 (4) No suit shall be maintained in any court to restrain or delay the
collection or payment of the tax levied in s. 139.31. The aggrieved taxpayer shall pay
the tax when due and, if paid under protest, may at any time within 90 days from the
date of payment, sue the state to recover the tax paid. If it is finally determined that
any part of the tax was wrongfully collected, the department secretary of
administration shall issue a warrant on the state treasurer for pay the amount
wrongfully collected, and the treasurer shall pay the same out of the general fund.
A separate suit need not be filed for each separate payment made by any taxpayer,
but a recovery may be had in one suit for as many payments as may have been made.

Section 2059. 146.185 (1) (i) of the statutes is amended to read:
146.185 (1) (i) “State agency” has the meaning given in s. 16.70 (1) (1e).

Section 2060. 146.59 (3) (b) of the statutes is amended to read:
146.59 (3) (b) Any authorization under par. (a) shall comply with all applicable
provisions of subch. V of ch. 111 and ch. 230, any delegation of authority by the
department of employment relations administration to the board, and any collective
bargaining agreement with respect to employees of the board.

Section 2061. 146.65 (1) (a) and (b) of the statutes are amended to read:
146.65 (1) (a) In state fiscal year 2001−02, not more than $618,000 and in fiscal
year 2002−03 each fiscal year, not more than $232,000, to the rural health dental
clinic located in Ladysmith that provides dental services to persons who are
developmentally disabled or elderly or who have low income, in the counties of Rusk,
Price, Taylor, Sawyer, and Chippewa.

(b) In fiscal year 2001−02, not more than $294,500 and in state fiscal year
2002−03 each fiscal year, not more than $355,600, to the rural health dental clinic
located in Menomonie that provides dental services to persons who are
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Developmentally disabled or elderly or who have low income, in the counties of Barron, Chippewa, Dunn, Pepin, Pierce, Polk, and St. Croix.

SECTION 2062. 146.93 of the statutes is repealed.

SECTION 2063. 146.946 of the statutes is created to read:

146.946 Pharmacy benefits purchasing pool for governmental units.

(1) In this section:

(a) “Brand name” has the meaning given in s. 450.12 (1) (a).

(b) “Generic name” has the meaning given in s. 450.12 (1) (b).

(c) “Governmental unit” means the state, including any body in state government created or authorized to be created by the constitution or any law; an instrumentality of the state or any corporation or other body created by the state; a political subdivision of the state; a special purpose district in this state; an instrumentality, corporation, or other body of a political subdivision or special purpose district; and any combination or subunit of any of the foregoing or of an instrumentality of the state and any of the foregoing.

(d) “Prescription drug” has the meaning given in s. 450.01 (20).

(2) Beginning on January 1, 2005, each governmental unit that offers or is required to provide health insurance coverage to any of its employees shall, together with every other such governmental unit, develop a common purchasing pool for pharmacy benefits that uses a preferred list of covered prescription drugs. The governmental units shall seek to develop the preferred list of covered prescription drugs under an evidence-based analysis that first identifies the relative effectiveness of prescription drugs within therapeutic classes for particular diseases and conditions and next identifies the least costly prescription drugs, including prescription drugs with generic names that are alternatives to prescription drugs.
with brand names, among those found to be equally effective. After the purchasing pool is developed, the pool shall be available to an employer to whom all of the following apply:

(a) The employer is not a governmental unit.
(b) The employer provides health insurance coverage to any of the employer’s employees.
(c) The governor requests the employer’s participation in the pool.

**SECTION 2064.** 146.997 (4) (a) of the statutes is amended to read:

146.997 (4) (a) Subject to par. (b), any employee of a health care facility or health care provider who is subjected to disciplinary action, or who is threatened with disciplinary action, in violation of sub. (3) may file a complaint with the department under s. 106.54 (6). If the department finds that a violation of sub. (3) has been committed, the department may take such action under s. 111.39 as will effectuate the purpose of this section.

**SECTION 2065.** 146.997 (4) (b) of the statutes is repealed.

**SECTION 2066.** 146.997 (4) (c) of the statutes is amended to read:

146.997 (4) (c) Section 111.322 (2m) applies to a disciplinary action arising in connection with any proceeding under par. (a) or (b).

**SECTION 2067.** 149.10 (8b) of the statutes is repealed.

**SECTION 2068.** 149.14 (5) (e) of the statutes is amended to read:

149.14 (5) (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17 (4), establish for prescription drug coverage under sub. (3) (d) copayment amounts, coinsurance rates, and copayment and coinsurance out-of-pocket limits over which the plan will pay 100% of covered costs under sub. (3) (d). The department may provide subsidies for prescription drug copayment amounts paid by eligible persons
under s. 149.165 (2) (a) 1. to 5. Any copayment amount, coinsurance rate, or out-of-pocket limit established under this paragraph is subject to the approval of the board. Copayments and coinsurance paid by an eligible person under this paragraph are separate from and do not count toward the deductible and covered costs not paid by the plan under pars. (a) to (c).

**SECTION 2069.** 149.143 (1) (a) of the statutes is repealed.

**SECTION 2070.** 149.143 (1) (b) (intro.) of the statutes is repealed.

**SECTION 2071.** 149.143 (1) (b) 1. of the statutes is renumbered 149.143 (1) (am) and amended to read:

149.143 (1) (am) A total of 60% 58% from the following sources, calculated as follows:

1. First, from premiums from eligible persons with coverage under s. 149.14 (2) (a) set at a rate that is 140% to 150% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan and from eligible persons with coverage under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including amounts received for premium and deductible, and prescription drug copayment subsidies under s. 149.144 and under the transfer to the fund from the appropriation account under s. 20.435 (4) (ah), and from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b).

2. Second, from moneys specified under sub. (2m), to the extent that the amounts under subd. 1. a. are insufficient to pay 60% 58% of plan costs.

3. Third, by increasing premiums from eligible persons with coverage under s. 149.14 (2) (a) to more than the rate at which premiums were set under subd. 1. a. but not more than 200% of the rate that a standard risk would be charged under an
individual policy providing substantially the same coverage and deductibles as are
provided under the plan and from eligible persons with coverage under s. 149.14 (2)
(b) by a comparable amount in accordance with s. 149.14 (5m), including amounts
received for premium and deductible, and prescription drug copayment subsidies
under s. 149.144 and under the transfer to the fund from the appropriation account
under s. 20.435 (4) (ah), and by increasing premiums from eligible persons with
coverage under s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the
amounts under subd. 1. a. subds. 1. and b. 2. are insufficient to pay 60% 58% of plan
costs.

4. Fourth, notwithstanding subd. 2. par. (bm), by increasing insurer
assessments, excluding assessments under s. 149.144, and adjusting provider
payment rates, subject to s. 149.142 (1) (b) and excluding adjustments to those rates
under s. 149.144, in equal proportions and to the extent that the amounts under
subd. 1. a. to c. subds. 1. to 3. are insufficient to pay 60% 58% of plan costs.

SECTION 2072. 149.143 (1) (b) 2. of the statutes is renumbered 149.143 (1) (bm),
and 149.143 (1) (bm) (intro.), as renumbered, is amended to read:

149.143 (1) (bm) (intro.) A total of 40% 42% as follows:

SECTION 2073. 149.143 (2) (a) (intro.) of the statutes is amended to read:

149.143 (2) (a) (intro.) Prior to each plan year, the department shall estimate
the operating and administrative costs of the plan and the costs of the premium
reductions under s. 149.165 and the deductible reductions under s. 149.14 (5) (a),
and any prescription drug copayment reductions under s. 149.14 (5) (e) for the new
plan year and do all of the following:

SECTION 2074. 149.143 (2) (a) 1. a. of the statutes is amended to read:
149.143 (2) (a) 1. a. Estimate the amount of enrollee premiums that would be received in the new plan year if the enrollee premiums were set at a level sufficient, when including amounts received for premium and deductible, and prescription drug copayment subsidies under s. 149.144 and under the transfer to the fund from the appropriation account under s. 20.435 (4) (ah) and from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), to cover 58% of the estimated plan costs for the new plan year, after deducting from the estimated plan costs the amount available for transfer to the fund from the appropriation account under s. 20.435 (4) (af) for that plan year.

**Section 2075.** 149.143 (2) (a) 1. b. of the statutes is amended to read:

149.143 (2) (a) 1. b. Estimate the amount of enrollee premiums that will be received under sub. (1) (b) 1. a. (am) 1.

**Section 2076.** 149.143 (2) (a) 2. of the statutes is amended to read:

149.143 (2) (a) 2. After making the determinations under subd. 1., by rule set premium rates for the new plan year, including the rates under s. 149.146 (2) (b), in the manner specified in sub. (1) (b) 1. a. and c. (am) 1. and 3. and such that a rate for coverage under s. 149.14 (2) (a) is approved by the board and is not less than 140% nor more than 200% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan.

**Section 2077.** 149.143 (2) (a) 3. of the statutes is amended to read:

149.143 (2) (a) 3. By rule set the total insurer assessments under s. 149.13 for the new plan year by estimating and setting the assessments at the amount necessary to equal the amounts specified in sub. (1) (b) 1. d. and 2. a. (am) 4. and (bm) 1. and notify the commissioner of the amount.
Section 2078. 149.143 (2) (a) 4. of the statutes is amended to read:

149.143 (2) (a) 4. By the same rule as under subd. 3. adjust the provider payment rate for the new plan year, subject to s. 149.142 (1) (b), by estimating and setting the rate at the level necessary to equal the amounts specified in sub. (1) (b) 1., d. and 2. b. (am) 4. and (bm) 2. and as provided in s. 149.145.

Section 2079. 149.143 (2) (b) of the statutes is amended to read:

149.143 (2) (b) In setting the premium rates under par. (a) 2., the insurer assessment amount under par. (a) 3. and the provider payment rate under par. (a) 4. for the new plan year, the department shall include any increase or decrease necessary to reflect the amount, if any, by which the rates and amount set under par. (a) for the current plan year differed from the rates and amount which would have equaled the amounts specified in sub. (1) (b) (am) and (bm) in the current plan year.

Section 2080. 149.143 (2m) (a) 1. of the statutes is amended to read:

149.143 (2m) (a) 1. The amount of premiums received in a plan year from all eligible persons, including amounts received for premium and deductible, and prescription drug copayment subsidies.

Section 2081. 149.143 (2m) (a) 2. of the statutes is amended to read:

149.143 (2m) (a) 2. The amount of premiums, including amounts received for premium and deductible, and prescription drug copayment subsidies, necessary to cover 60% 58% of the plan costs for the plan year, after deducting the amount transferred to the fund from the appropriation account under s. 20.435 (4) (af).

Section 2082. 149.143 (2m) (b) 1. of the statutes is amended to read:

149.143 (2m) (b) 1. To reduce premiums in succeeding plan years as provided in sub. (1) (b) 1. b. (am) 2. For eligible persons with coverage under s. 149.14 (2) (a), premiums may not be reduced below 140% of the rate that a standard risk would be
charged under an individual policy providing substantially the same coverage and
deductibles as are provided under the plan.

**SECTION 2083.** 149.143 (3) (a) of the statutes is amended to read:

149.143 (3) (a) If, during a plan year, the department determines that the
amounts estimated to be received as a result of the rates and amount set under sub.
(2) (a) 2. to 4. and any adjustments in insurer assessments and the provider payment
rate under s. 149.144 will not be sufficient to cover plan costs, the department may
by rule increase the premium rates set under sub. (2) (a) 2. for the remainder of the
plan year, subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2.,
by rule increase the assessments set under sub. (2) (a) 3. for the remainder of the plan
year, subject to sub. (1) (b) 2. a. (bm) 1., and by the same rule under which
assessments are increased adjust the provider payment rate set under sub. (2) (a) 4.
for the remainder of the plan year, subject to sub. (1) (b) 2. b. (bm) 2. and s. 149.142
(1) (b).

**SECTION 2084.** 149.143 (3) (b) of the statutes is amended to read:

149.143 (3) (b) If the department increases premium rates and insurer
assessments and adjusts the provider payment rate under par. (a) and determines
that there will still be a deficit and that premium rates have been increased to the
maximum extent allowable under par. (a), the department may further adjust, in
equal proportions, assessments set under sub. (2) (a) 3. and the provider payment
rate set under sub. (2) (a) 4., without regard to sub. (1) (b) 2. (bm) but subject to s.
149.142 (1) (b).

**SECTION 2085.** 149.144 of the statutes is amended to read:

**149.144  Adjustments to insurer assessments and provider payment**
*rates for premium and deductible, and prescription drug copayment*
reductions. If the moneys transferred to the fund under the appropriation under s. 20.435 (4) (ah) are insufficient to reimburse the plan for premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a), or the department determines that the moneys transferred or to be transferred to the fund under the appropriation under s. 20.435 (4) (ah) will be insufficient to reimburse the plan for premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a), the department may, by rule, adjust in equal proportions the amount of the assessment set under s. 149.143 (2) (a) 3. and the provider payment rate set under s. 149.143 (2) (a) 4., subject to ss. 149.142 (1) (b) and 149.143 (1) (b) 1. (am), sufficient to reimburse the plan for premium reductions under s. 149.165 and, deductible reductions under s. 149.14 (5) (a). If the department makes the adjustment under this section, the, any prescription drug copayment reductions under s. 149.14 (5) (e). The department shall notify the commissioner so that the commissioner may levy any increase in insurer assessments.

SECTION 2086. 149.145 of the statutes is amended to read:

149.145 Program budget. The department, in consultation with the board, shall establish a program budget for each plan year. The program budget shall be based on the provider payment rates specified in s. 149.142 and in the most recent provider contracts that are in effect and on the funding sources specified in ss. 149.143 (1) and 149.144, including the methodologies specified in ss. 149.143, 149.144, and 149.146 for determining premium rates, insurer assessments, and provider payment rates. Except as otherwise provided in s. 149.143 (3) (a) and (b) and subject to s. 149.142 (1) (b), from the program budget the department shall derive the actual provider payment rate for a plan year that reflects the providers' proportional share of the plan costs, consistent with ss. 149.143 and 149.144. The
department may not implement a program budget established under this section unless it is approved by the board.

**SECTION 2087.** 149.146 (2) (a) of the statutes is amended to read:

149.146 (2) (a) Except as specified by the department, the terms of coverage under s. 149.14, including deductible reductions under s. 149.14 (5) (a) and prescription drug copayment reductions under s. 149.14 (5) (e), do not apply to the coverage offered under this section. Premium reductions under s. 149.165 do not apply to the coverage offered under this section.

**SECTION 2088.** 149.16 (1) of the statutes is repealed.

**SECTION 2089.** 149.16 (1m) of the statutes is created to read:

149.16 (1m) The plan administrator may be selected by the department in a competitive bidding process.

**SECTION 2090.** 149.16 (4) of the statutes is amended to read:

149.16 (4) The If the plan administrator is the fiscal agent under s. 49.45 (2) (b) 2., the plan administrator shall account for costs related to the plan separately from costs related to medical assistance under subch. IV of ch. 49.

**SECTION 2091.** 149.165 (4) of the statutes is amended to read:

149.165 (4) The department shall reimburse the plan for premium reductions under sub. (2) and deductible reductions under s. 149.14 (5) (a) with moneys transferred to the fund, and prescription drug copayment reductions under s. 149.14 (5) (e) from the appropriation account under s. 20.435 (4) (ah) (v).

**SECTION 2092.** 150.963 (3) (e) of the statutes is amended to read:

150.963 (3) (e) Accept on behalf of the state and deposit with the state treasurer secretary of administration any grant, gift, or contribution made to assist in meeting
the cost of carrying out the purposes of this subchapter, and expend those funds for
the purposes of this subchapter.

SECTION 2093. 153.05 (8) of the statutes is repealed.

SECTION 2094. 153.05 (13) of the statutes is amended to read:

153.05 (13) The department may waive the requirement under sub. (1), (5) or
(8) or (5) for a health care provider, who requests the waiver and presents evidence
to the department that the requirement under sub. (1), (5) or (8) or (5) is burdensome,
under standards established by the department by rule. The department shall
develop a form for use by a health care provider in submitting a request under this
subsection.

SECTION 2095. 153.75 (1) (t) of the statutes is amended to read:

153.75 (1) (t) Establishing standards for determining under s. 153.05 (13) if a
requirement under s. 153.05 (1), (5) or (8) or (5) is burdensome for a health care
provider.

SECTION 2096. 165.065 (2) of the statutes is amended to read:

165.065 (2) The assistant attorney general in charge of antitrust investigations
and prosecutions is to cooperate actively with the antitrust division of the U.S.
department of justice in everything that concerns monopolistic practices in
Wisconsin, and also to cooperate actively with the department of agriculture, trade
and consumer protection in the work which this agency is carrying on under s. 100.20
of the marketing law with regard to monopolistic practices in the field of agriculture
and with the federal trade commission on matters arising in or affecting Wisconsin
which pertain to its jurisdiction.

SECTION 2097. 165.25 (4) (ar) of the statutes is amended to read:
165.25 (4) (ar) The department of justice shall furnish all legal services required by represent the department of agriculture, trade and consumer protection in any court action relating to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18, 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50 and 100.51 and chs. 126, 136, 344, 704, 707, and 779 ch. 126 and ss. 100.01 to 100.025, 100.05, 100.07, 100.14, 100.183 to 100.19, 100.201, 100.22, 100.235, 100.27, 100.285 to 100.297, 100.33 to 100.36, 100.45, 100.47, and 100.48, together with any other services as are necessarily connected to the legal services.

SECTION 2098. 165.252 of the statutes is created to read:

165.252 Consumer protection matters. The department of justice shall administer ss. 100.15 to 100.182, 100.20, 100.205, 100.207 to 100.2095, 100.28, 100.31, 100.37 to 100.44, 100.46, 100.50, and 100.52 and may promulgate rules to aid in the administration and enforcement of these sections. The department of justice may appear for the state in any court action relating to these sections.

SECTION 2099. 165.30 (3) of the statutes is amended to read:

165.30 (3) Collection proceeds. (a) All obligations collected by the department of justice under this section shall be paid to the secretary of administration and deposited in the appropriate fund.

(b) From the amount of obligations collected by the department of justice under this section, the secretary of administration shall credit an amount equal to the reasonable and necessary expenses incurred by the department related to collecting those obligations to the appropriation account under s. 20.455 (1) (gs).

SECTION 2100. 165.755 (1) (a) of the statutes is amended to read:
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165.755 (1) (a) Except as provided in par. (b), a court shall impose a crime laboratories and drug law enforcement assessment of $5 if the court imposes a sentence, places a person on probation or imposes a forfeiture for a violation of state law or for a violation of a municipal or county ordinance.

SECTION 2101. 165.755 (3) of the statutes is amended to read:

165.755 (3) Except as provided in sub. (4), after the court determines the amount due under sub. (1) (a), the clerk of the court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer under s. 59.25 (3) (f) 2.

SECTION 2102. 165.755 (4) of the statutes is amended to read:

165.755 (4) If a municipal court imposes a forfeiture, after determining the amount due under sub. (1) (a), the court shall collect and transmit such amount to the treasurer of the county, city, town, or village, and that treasurer shall make payment to the state treasurer as provided in s. 66.0114 (1) (bm).

SECTION 2103. 165.755 (5) of the statutes is amended to read:

165.755 (5) If any deposit of bail is made for a noncriminal offense to which sub. (1) (a) applies, the person making the deposit shall also deposit a sufficient amount to include the assessment prescribed in sub. (1) (a) for forfeited bail. If bail is forfeited, the amount of the assessment under sub. (1) (a) shall be transmitted monthly to the state treasurer under this section. If bail is returned, the assessment shall also be returned.

SECTION 2104. 165.755 (6) of the statutes is amended to read:

165.755 (6) If an inmate in a state prison or a person sentenced to a state prison has not paid the crime laboratories and drug law enforcement assessment under sub.
(1) (a), the department shall assess and collect the amount owed from the inmate’s wages or other moneys. Any amount collected shall be transmitted to the state treasurer secretary of administration.

**SECTION 2105.** 165.755 (7) of the statutes is amended to read:

165.755 (7) All moneys collected from crime laboratories and drug law enforcement assessments under this section shall be deposited by the state treasurer secretary of administration and used as specified in s. 20.455 (2) (kd) and (Lm).

**SECTION 2106.** 165.82 (1) (intro.) of the statutes is amended to read:

165.82 (1) (intro.) Notwithstanding s. 19.35 (3), the department of justice shall impose the following fees, plus any surcharge required under sub. (1m), for criminal history searches for purposes unrelated to criminal justice or to s. 175.35:

**SECTION 2107.** 165.82 (1) (ar) of the statutes is amended to read:

165.82 (1) (ar) For each fingerprint card record check requested by a governmental agency or nonprofit organization, $10 $15.

**SECTION 2108.** 165.82 (1m) of the statutes is created to read:

165.82 (1m) The department of justice shall impose a $5 surcharge if a person requests a paper copy of the results of a criminal history search requested under sub. (1).

**SECTION 2109.** 165.90 of the statutes is repealed.

**SECTION 2110.** 165.92 (3) (a) of the statutes is amended to read:

165.92 (3) (a) Unless otherwise provided in a joint program plan county proposal under s. 165.90 (2) 16.964 (7) or an agreement between a political subdivision of this state and a tribe, the tribe that employs a tribal law enforcement officer is liable for all acts of the officer while acting within the scope of his or her
employment and neither the state nor any political subdivision of the state may be held liable for any action of the officer taken under the authority of sub. (2) (a).

**SECTION 2111.** 166.03 (1) (b) 7. of the statutes is repealed.

**SECTION 2112.** 166.03 (2) (b) 9. of the statutes is repealed.

**SECTION 2113.** 166.03 (8) (f) of the statutes is amended to read:

166.03 (8) (f) If the total liability for worker’s compensation benefits under par. (d), indemnification under par. (e), and loss from destruction of equipment under sub. (9), incurred in any calendar year exceeds $1 per capita of the sponsor’s population, the state shall reimburse the sponsor for the excess. Payment shall be made from the appropriation in s. 20.465 (3) (a) 20.865 (1) (a) on certificate of the adjutant general and, if appropriate, subject to the approval of the attorney general under s. 20.865 (1) (a).

**SECTION 2114.** 167.31 (5) (c) of the statutes is amended to read:

167.31 (5) (c) If any deposit is made for an offense to which this subsection applies, the person making the deposit shall also deposit a sufficient amount to include the weapons assessment under this subsection. If the deposit is forfeited, the amount of the weapons assessment shall be transmitted to the state treasurer under par. (d). If the deposit is returned, the amount of the weapons assessment shall also be returned.

**SECTION 2115.** 167.31 (5) (d) of the statutes is amended to read:

167.31 (5) (d) The clerk of the circuit court shall collect and transmit to the county treasurer the weapons assessment as required under s. 59.40 (2) (m). The county treasurer shall then pay the state treasurer as provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit all amounts received
under this paragraph in the conservation fund to be appropriated under s. 20.370 (3) (mu).

**SECTION 2116.** 169.46 (1) (c) of the statutes is amended to read:

169.46 (1) (c) If any deposit is made for an offense to which this subsection applies, the person making the deposit shall also deposit a sufficient amount to include the natural resources assessment prescribed in this subsection. If the deposit is forfeited, the amount of the natural resources assessment shall be transmitted to the state treasurer secretary of administration under par. (d). If the deposit is returned, the natural resources assessment shall also be returned.

**SECTION 2117.** 169.46 (1) (d) of the statutes is amended to read:

169.46 (1) (d) The clerk of the court shall collect and transmit to the county treasurer the natural resources assessment and other amounts required under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2. The state treasurer secretary of administration shall deposit the amount of the natural resources assessment in the conservation fund.

**SECTION 2118.** 169.46 (2) (c) of the statutes is amended to read:

169.46 (2) (c) If any deposit is made for an offense to which this subsection applies, the person making the deposit shall also deposit a sufficient amount to include the natural resources restitution payment prescribed in this subsection. If the deposit is forfeited, the amount of the natural resources restitution payment shall be transmitted to the state treasurer secretary of administration under par. (d). If the deposit is returned, the natural resources restitution payment shall also be returned.

**SECTION 2119.** 169.46 (2) (d) of the statutes is amended to read:
169.46 (2) (d) The clerk of the court shall collect and transmit to the county treasurer the natural resources restitution payment and other amounts required under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2. The state treasurer secretary of administration shall deposit the amount of the natural resources restitution payment in the conservation fund.

**SECTION 2120.** 173.40 of the statutes, as affected by 2001 Wisconsin Act 16, is repealed.

**SECTION 2121.** 182.36 (3) of the statutes is amended to read:

182.36 (3) The corporation may enter into contracts with public utilities, including and railroads, for the removal or change in location of the lines of such public utilities and railroads where the same is deemed necessary by the corporation in the construction of the project. Such contracts shall be for the payment of damages caused the utilities and railroads by the relocation of their lines. In the event the corporation and the utility or railroad are unable to reach an agreement, the public service commission in the case of a utility or the department of transportation in the case of a railroad shall direct the manner, location and time allowed for the change in the utility or railroad line and the corporation shall be liable for the reasonable costs of such change. In the event the public utility or railroad fails to comply with the order of the public service commission or department of transportation it shall be liable to the corporation for all damages occasioned by such failure.

**SECTION 2122.** 183.0105 (2) (c) of the statutes is amended to read:

183.0105 (2) (c) In the case of a foreign limited liability company, including Including the name of its registered agent and the street address of its registered office, as changed, in its annual report under s. 183.0120. This paragraph also
applies to a foreign limited liability company. A change under this paragraph is
effective on the date the annual report is filed by the office of the department.

SECTION 2123. 183.0109 (1) (a) 4. of the statutes is amended to read:

183.0109 (1) (a) 4. A foreign limited liability company’s annual report under
s. 183.0120.

SECTION 2124. 183.0113 (2) (b) 1m. of the statutes is amended to read:

183.0113 (2) (b) 1m. In the case of a foreign limited liability company, the domestic or foreign limited liability company has, during its most recently completed report year, filed with the department an annual report required by s. 183.0120.

SECTION 2125. 183.0114 (1) (v) of the statutes is created to read:

183.0114 (1) (v) Annual report of a domestic limited liability company, $25.

SECTION 2126. 183.0120 (title) of the statutes is amended to read:

183.0120 (title) Annual report for foreign limited liability companies.

SECTION 2127. 183.0120 (1) of the statutes is amended to read:

183.0120 (1) Each foreign limited liability company registered to transact business in this state and each domestic limited liability company shall file with the department an annual report that includes all of the following information:

(a) The name of the domestic or foreign limited liability company and, if a foreign limited liability company, the state or country under whose law it is organized.

(b) The address of the domestic or foreign limited liability company’s registered office and the name of its registered agent at that office in this state.

(c) The address of the domestic or foreign limited liability company’s principal office.
(d) If management of the domestic or foreign limited liability company is vested in one or more managers, the name and business address of each manager.

(e) The name and business address of each member of the domestic or foreign limited liability company.

(f) A brief description of the nature of the domestic or foreign limited liability company’s business.

SECTION 2128. 183.0120 (2) of the statutes is amended to read:

183.0120 (2) Information in the annual report shall be current as of the date on which the annual report is executed on behalf of a the domestic or foreign limited liability company, except that the information required by sub. (1) (e) shall be current as of the close of the domestic or foreign limited liability company’s fiscal year immediately before the date by which the annual report is required to be delivered to the department.

SECTION 2129. 183.0120 (3) of the statutes is amended to read:

183.0120 (3) A domestic limited liability company shall deliver its initial annual report to the department during the first calendar quarter of the year following the calendar year in which the limited liability company’s articles of organization become effective under s. 183.0111 and shall deliver each subsequent annual report during the first calendar quarter of each subsequent year. A foreign limited liability company registered to transact business in this state shall deliver its annual report to the department during the first calendar quarter of each year following the calendar year in which the foreign limited liability company becomes registered to transact business in this state.

SECTION 2130. 183.0120 (4) of the statutes is amended to read:
183.0120 (4) If an annual report does not contain the information required by this section, the department shall promptly notify the reporting domestic or foreign limited liability company in writing and return the report to it for correction.

**SECTION 2131.** 183.0901 (3) of the statutes is created to read:

183.0901 (3) The department administratively dissolves the limited liability company under s. 183.09025 (2) (c), unless the limited liability company is subsequently reinstated under s. 183.09025 (4) (b) or pursuant to judicial review under ss. 227.52 to 227.58.

**SECTION 2132.** 183.09025 of the statutes is created to read:

**183.09025 Administrative dissolution and reinstatement.** (1) **GROUNDS FOR ADMINISTRATIVE DISSOLUTION.** The department may bring a proceeding under sub. (2) to administratively dissolve any limited liability company that does not deliver to the department the limited liability company’s complete annual report within one year after the annual report is due.

(2) **PROCEDURE FOR ADMINISTRATIVE DISSOLUTION.** (a) If the department determines that grounds exist under sub. (1) for dissolving a limited liability company, the department shall mail the limited liability company a notice of the determination. The notice shall be in writing and addressed to the registered office of the limited liability company.

(b) Within 60 days after the date on which the notice is received or the date on which the second insertion of the class 2 notice under par. (d) is published, the limited liability company shall correct each ground for dissolution or demonstrate to the reasonable satisfaction of the department that each ground determined by the department does not exist.
(c) If a limited liability company fails to satisfy par. (b), the department shall administratively dissolve the limited liability company. The department shall enter a notation in its records to reflect each ground for dissolution and the effective date of dissolution and shall mail the limited liability company a notice of those facts and a certificate of dissolution. The notice and certificate shall be in writing and addressed to the registered office of the limited liability company. The dissolution is subject to judicial review as provided in ss. 227.52 to 227.58.

(d) If a notice under par. (a) or (c) is returned to the department as undeliverable, the department shall again mail the notice to the limited liability company as provided under that paragraph. If the notice is again returned to the department as undeliverable, the department shall give the notice by publishing a class 2 notice under ch. 985 in the official state newspaper.

(3) Use of Name Following Administrative Dissolution. A limited liability company’s right to the exclusive use of its name terminates on the date of the administrative dissolution under sub. (2) (c).

(4) Reinstatement. (a) A limited liability company that is administratively dissolved under sub. (2) (c) may apply to the department for reinstatement within 30 days after the date on which the limited liability company is dissolved. The application shall include all of the following:

1. The name of the limited liability company and the date on which it was administratively dissolved.

2. A statement that each ground for dissolution either did not exist or has been cured.

3. A statement that the limited liability company’s name satisfies s. 183.0103.
(b) The department shall cancel the certificate of dissolution and issue a certificate of reinstatement under this paragraph if the department determines that the application contains the information required under par. (a), that the information is correct, and that all fees and penalties owed by the limited liability company to the department under this chapter have been paid. The certificate of reinstatement shall state the department’s determination under this paragraph and the effective date of reinstatement. The department shall file the certificate and provide a copy to the limited liability company or its representative.

(c) When the reinstatement becomes effective, it shall relate back to and take effect as of the effective date of the administrative dissolution, and the limited liability company may resume carrying on its business as if the administrative dissolution had never occurred.

(d) If the department denies a limited liability company's application for reinstatement under par. (a), the department shall serve the limited liability company with a written notice of denial that explains each reason for the denial. The denial is subject to judicial review as provided in ss. 227.52 to 227.58.

**SECTION 2133.** 186.098 (12) of the statutes is amended to read:

186.098 (12) **LOANS TO MEMBERS.** A credit union may make loans to members secured by assignment or transfer of stock certificates or other evidence of the borrower’s ownership interest in a corporation formed for the cooperative ownership of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a mortgage involving a one-family residence, apply to a proceeding to enforce the lender’s rights in security given for a loan under this subsection. The office of credit unions shall promulgate joint rules with the division of savings institutions and the
division of banking that establish procedures for enforcing a lender’s rights in security given for a loan under this subsection.

**SECTION 2134.** 186.235 (11) (dg) of the statutes is amended to read:

186.235 (11) (dg) Special deputies. The office of credit unions may appoint one or more special deputies as agent to assist in the duty of liquidation and distribution of the assets of one or more credit unions whose business and property the office of credit unions holds. A certificate of appointment shall be filed in the office of credit unions and a certified copy in the office of the clerk of the circuit court for the county in which the credit union is located. The On behalf of the office of credit unions, the department of administration may employ counsel and the office of credit unions may procure expert assistance and advice as necessary in the liquidation and distribution of the assets of the credit union, and may retain any officers or employees of the credit union that the office of credit unions considers to be necessary. The special deputies and assistants shall furnish security for the faithful discharge of their duties in an amount that the office of credit unions considers to be necessary. The special deputies may execute, acknowledge and deliver any deeds, assignments, releases or other instruments necessary to effect any sale and transfer or encumbrance of real estate or personal property and may borrow money for use in the liquidation after the liquidation has been approved by the office of credit unions and an order obtained from the circuit court of the county in which the credit union is located.

**SECTION 2135.** 186.235 (16) (title) and (a) of the statutes are amended to read:

186.235 (16) (title) **Annual Periodic Examination.**

(a) At Except as provided in par. (b), at least once each year every 18 months, the office of credit unions shall examine the records and accounts of each credit
union. For that purpose the office of credit unions shall have full access to, and may
compel the production of, each credit union’s records and accounts. They may
administer oaths to and examine each credit union’s officers and agents.

SECTION 2136. 186.235 (16) (b) of the statutes is amended to read:

186.235 (16) (b) Instead of an annual examination of a credit union under par. (a), the office of credit unions may accept an audit report of the condition of the credit union made by a certified public accountant not an employee of the credit union in accordance with rules promulgated by the office of credit unions or may accept an examination or audit made or approved by the national board.

SECTION 2137. Chapter 189 of the statutes is repealed.

SECTION 2138. 190.001 of the statutes is repealed and recreated to read:

190.001 Definition. In this chapter, “division of hearings and appeals” means the division of hearings and appeals in the department of administration.

SECTION 2139. 190.02 (6) of the statutes is amended to read:

190.02 (6) RAILROAD INTERSECTIONS. To cross, intersect, join or unite its railroad with any other railroad, at any point, with the necessary turnouts, sidings and switches and other conveniences in furtherance of the objects of its connections. And if the 2 corporations cannot agree upon the amount of compensation to be made therefor or the points and manner of such crossings and connections the same shall be ascertained by the office division of hearings and appeals on application of either corporation.

SECTION 2140. 190.025 (2) (b) of the statutes is amended to read:

190.025 (2) (b) A railroad corporation that is subject to this subsection shall have all powers conferred by law upon railroad corporations. The railroad corporation may issue, sell, pledge or otherwise dispose of its evidences of debt, at
such times, in such amounts, for such considerations and upon such terms and
conditions as the board of directors of the corporation shall determine, and as shall
be authorized by the office department of financial institutions, or the interstate
commerce commission federal surface transportation board in the case of a railroad
corporation organized for the purpose of acquiring a railroad engaged in interstate
commerce, or any existing railroad corporation reorganized under the act and
acquiring railroad property used in interstate commerce. The evidences of debt may
be convertible, at the option of the holder, into stock, and shares of stock. The shares
may have a nominal or par value or, if the shares are shares of common stock, be
without nominal or par value. The shares may be of such classes, with such rights
and voting powers as may be expressed in the corporation’s articles or any
amendment thereto.

SECTION 2141. 190.03 of the statutes is amended to read:

190.03 Office in state; books produced. Any railroad corporation existing
under the laws of this state shall produce before the office of the commissioner of
railroads department of financial institutions, the legislature, or any committee of
either house, or any court of record, its books of account and stock books, or so many
and such parts thereof as may be required by them, or in the discretion of the office
of the commissioner of railroads department of financial institutions, legislature,
committee or court, transcripts from such books, or such parts thereof as may be
called for, duly authenticated; and each such railroad corporation shall designate
some office within this state as its principal office and inform the office of the
commissioner of railroads department of financial institutions of such designation,
and shall keep there or at the office of its transfer agents or registrars a list of its
stockholders, giving the names and addresses of its stockholders, together with a
statement of the number and class of shares of its stock held by each of them, as
shown by its books. A failure or refusal to comply with any of the foregoing provisions
shall be cause of forfeiture of its franchises.

Section 2142. 190.13 of the statutes is amended to read:

190.13 Report to stockholders. Every railroad corporation shall make an
annual report to its stockholders of its operations for the preceding calendar year, or
for its fiscal year, as the case may be, which report shall contain a balance sheet
showing its assets and liabilities, its capital stock, and funded debt, and an income
account showing its operating revenues, operating expenses, gross and net income,
as the result of its traffic or business operations, and such other information in
respect of its affairs as the board of directors shall deem advisable. A copy of each
such report shall be kept on file in its principal office in this state, shall be mailed
to each stockholder whose post-office address is known and shall be filed with the
office of the commissioner of railroads department of financial institutions.

Section 2143. 190.16 (4) (a) of the statutes is amended to read:

190.16 (4) (a) Every railroad shall acquire the necessary right-of-way for and
shall construct, connect, maintain and operate a reasonably adequate spur track
whenever such spur track does not necessarily exceed 3 miles in length, is practically
indispensable to the successful operation of any existing or proposed industry or
enterprise, and its construction and operation is not unusually dangerous, and is not
unreasonably harmful to public interest, and any person aggrieved by the failure of
any railroad to fully perform such obligation may prosecute proceedings before the
office division of hearings and appeals to compel compliance therewith.

Section 2144. 190.16 (4) (b) of the statutes is amended to read:
190.16 (4) (b) Such railroad may require the person primarily to be served thereby to pay the legitimate cost and expense of acquiring the necessary right-of-way for such spur track, and of constructing the same, the cost to be estimated in separate items by the office department of transportation or the division of hearings and appeals, and deposited with the railroad, before it shall be required to incur any expense whatever therefor; but such person, in lieu of depositing the total estimated cost may offer in writing to construct such spur track, the offer to be accompanied by a surety company bond, running to such railroad, and conditioned upon the construction of such spur track in a good and workmanlike manner, according to the plans and specifications of such railroad, approved by the office department of transportation or the division of hearings and appeals, and deposit with such railroad the estimated cost of the necessary right-of-way. Provided that before the railroad shall be required to incur any expense whatever in the construction of such spur track, the person primarily to be served thereby shall give the railroad a bond to be approved by the office department of transportation or the division of hearings and appeals as to form, amount and surety, securing the railroad against loss on account of any expense incurred beyond the estimated cost.

**SECTION 2145.** 190.16 (4) (c) of the statutes is amended to read:

190.16 (4) (c) Whenever a spur track is so constructed at the expense of the owner of any industry or enterprise, and any other person shall desire a connection with such spur track, application therefor shall be made to the office department of transportation or the division of hearings and appeals, and such other person shall be required to pay to such owner an equitable proportion of the cost thereof, to be determined by the office department of transportation or the division of hearings and appeals.
**SECTION 2146.** 190.16 (5) of the statutes is amended to read:

190.16 (5) REMOVAL, WHEN. Except where a spur track was constructed prior to June 16, 1925, at the expense of the railroad company, no spur track shall be removed, dismantled or otherwise rendered unfit for service except upon order of the office department of transportation or the division of hearings and appeals made after hearing held upon notice to all parties interested, and for good cause shown; provided that if no objection has been filed with the office department of transportation or the division of hearings and appeals within 20 days from the original publication of such notice, the office department of transportation or the division of hearings and appeals may without hearing authorize such spur track removed, dismantled or otherwise rendered unfit for service.

**SECTION 2147.** 191.001 of the statutes is amended to read:

191.001 Definition. In this chapter, “office” “department” means the office of the commissioner of railroads department of transportation.

**SECTION 2148.** 191.01 (2) of the statutes is amended to read:

191.01 (2) CONSTRUCTION, CERTIFICATE FROM OFFICE DEPARTMENT PREREQUISITE. No railroad corporation shall begin the construction of any proposed line of railroad in this state until it shall have obtained from the office department a certificate that public convenience and a necessity require authorizing the construction of the railroad, and the certificate shall constitute the license from this state to the company to build its proposed railroad.

**SECTION 2149.** 191.02 (title) of the statutes is amended to read:

191.02 (title) **Application for certificate of necessity.**

**SECTION 2150.** 191.03 of the statutes is amended to read:
191.03 Articles; publication prerequisite to certificate. No railroad corporation shall make application for a certificate authorizing construction of a railroad unless it has caused a copy of its corporate articles to be published as a class 2 notice, under ch. 985, in each county in which the railroad is proposed to be located within 6 months next prior to the time of making such application, and files satisfactory proof thereof with the office department.

SECTION 2151. 191.05 of the statutes is amended to read:

191.05 Maps and profiles with application; changes. Complete maps and profiles of the proposed railroad shall be filed with the application for a certificate of convenience and necessity authorizing construction. The office department may permit errors, omissions or defects in the application, maps and profiles to be supplied or corrected, and permit changes in the proposed route to be made.

SECTION 2152. 191.06 of the statutes is amended to read:

191.06 Railroad extensions; certificate and notice necessary. If any railroad company organized prior to July 1, 1907, shall desire to extend its lines in this state or to build branches connected therewith, or to construct any portion of its authorized line of railroad, it shall, before beginning construction thereof, obtain a certificate of convenience and necessity authorizing the construction; but it shall not be necessary to publish the articles of such railroad.

SECTION 2153. 191.07 of the statutes is amended to read:

191.07 Hearing of applicants; notice. Upon receiving such an application for a certificate authorizing construction, the office department may set a time and place for a hearing, which time shall not be less than 3 weeks nor more than 8 weeks from the date of filing the application, and the place shall be at the city of Madison, or at some place along the line of the proposed railroad, if the office
department deems the latter more convenient, and. If the department sets a hearing, the department shall give to the applicant notice thereof, which notice shall be published by the applicant, as a class 2 notice, under ch. 985, in each county in which the railroad, extension or branch is proposed to be located, and proof of such publication shall be filed with the office department.

Section 2154. 191.09 of the statutes is repealed and recreated to read:

191.09 Procedures before the department. Chapter 227 applies to all proceedings under this chapter.

Section 2155. 191.10 (title) of the statutes is amended to read:

191.10 (title) Certificate of necessity.

Section 2156. 191.10 (1) of the statutes is amended to read:

191.10 (1) Issuance, filing, recording, condemnation. If the office of the commissioner of railroads finds that the proposed railroad would be a public convenience and that a necessity requires its construction, the office of the commissioner of railroads shall enter an order to that effect and issue the department issues to the applicant a certificate that public convenience and a necessity require the construction of the railroad as proposed. The certificate shall be filed in the office of the department of financial institutions and the department of financial institutions under this chapter, the applicant shall file the certificate with the department of financial institutions. The department of transportation shall approve the map showing the route of the railroad. The applicant shall record the map certified by the office of the commissioner of railroads department of transportation in the office of the register of deeds in each county in which the railroad shall be located. The filing of the certificate with the department of financial
institutions and the recording of the map, as above provided, are conditions
precedent to the right of the applicant to institute condemnation proceedings.

**SECTION 2156.** 191.10 (2) of the statutes is amended to read:

191.10 (2) Certificate for part of line. Whenever it shall appear to the office
that public convenience and a necessity do not require the construction of the
railroad as proposed in the application, but do require the construction of a part
thereof, the office The department may issue a certificate for the construction of such
part of the railroad as public convenience and necessity require proposed in the
application.

**SECTION 2157.** 191.10 (3) of the statutes is amended to read:

191.10 (3) Refusal of certificate; renewal of application. If the office shall
determine that the proposed railroad is not a necessity or is not required by public
convenience, the office shall by order refuse to grant a certificate, department denies
the application for a certificate, the department shall issue an order refusing the
certificate and stating the reasons for the refusal. The application may be renewed
after 2 years from the date of the refusal, but not sooner.

**SECTION 2158.** 191.11 of the statutes is amended to read:

191.11 Revocation of certificate. If any railroad company after obtaining
a certificate that public convenience and a necessity require authorizing the
construction of the whole or part of its railroad fails to begin construction within one
year from the date of the certificate, or having begun such construction, fails to
prosecute the same, the office department may inquire into the reasons for such
failure and may revoke the certificate, if the office department finds, after notice and
hearing, that such failure is unreasonable.

**SECTION 2160.** 191.13 (2) of the statutes is amended to read:
191.13 (2) No railroad corporation shall exercise such power until it has obtained from the office department a certificate that public convenience and necessity require authorizing the construction of the temporary railroad, and the certificate shall constitute the license to the company to build its proposed temporary railroad. The certificate shall specify the length of time the railroad may be maintained and operated, and may be renewed from time to time upon application by the railroad company. At the expiration of the time specified in the certificate, or any renewal thereof, the railroad company shall discontinue, dismantle and remove the temporary railroad; and may prior to the expiration of such time, upon order of the office department, and after a hearing, upon notice to all parties interested and good cause shown, discontinue, dismantle and remove the railroad.

Section 2161. 191.16 of the statutes is amended to read:

191.16 Construction items submitted to office department. Upon receiving the certificate of public convenience and necessity authorizing construction, the applicant shall before commencing construction submit to the office department a condensed specification of the character of construction that the applicant proposes to install, showing the kind, quality and weight of the rail proposed to be used, the mode of construction, character, quality, and strength of all bridges, culverts and viaducts, the abutments and approaches proposed to be built, the grade of and proposed method of draining the roadbed, and the kind of power to be used and the plant and appliances to be employed in power production, and such other facts relating to the construction of the proposed railroad as the office department requires.

Section 2162. 191.17 of the statutes is amended to read:
191.17 Public safety; investigation; approval of plans. Upon receiving the specification required by s. 191.16, the office department shall examine the same and shall hear the applicant in support thereof, shall suggest and require modifications of the specification if the public safety so demands, eliminating so far as may be practicable, consistent with reasonable cost, all grade crossings of public highways, shall inspect the route of the proposed railroad if deemed desirable, and shall otherwise investigate and determine that the proposed construction will be adequate for securing public safety in the operation of the railroad, and thereupon the office department shall enter an order approving the specification and authorizing the construction of the railroad in accordance therewith.

SECTION 2163. 191.19 (1) of the statutes is amended to read:

191.19 (1) Upon the completion of the construction of any railroad under the approved specification, the company shall, before operating the same for public service, report to the office department; and the office department shall inspect the work. If the office department finds that the railroad has been constructed in accordance with the approved specification and is otherwise suitable and properly constructed so as to secure public safety in the operation thereof, the office department shall enter an order authorizing its operation, which order shall be presumptive evidence of the sufficiency of such construction.

SECTION 2164. 191.19 (3) of the statutes is amended to read:

191.19 (3) If upon inspection the office department shall deem that public safety requires the installation, operation and maintenance of some protective appliance at any grade crossing of railroad tracks the office department may, before granting the order, after notice and hearing, require the installation, operation and maintenance of suitable protective appliances, and shall apportion the expense of
constructing, maintaining and operating such protective appliances among the
owners of the tracks.

**SECTION 2165.** 191.20 of the statutes is amended to read:

**191.20 Railroad routes; right to alter.** Every railroad company may, by the
vote of two-thirds of its directors, alter or change the route of its railroad, by making
and filing with the office of the commissioner of railroads department and the
department of financial institutions and also by recording in the office of the register
of deeds of the county or counties where the alteration or change is to be made, a
surveyed map and certificate of the alteration or change. The alteration or change
may not deviate from the original route for a greater distance than one mile at any
point. No city or village may be left off the railroad by the change of route. The
original end points of the railroad, or the route in any city or village, shall not be
changed without the approval of the office of the commissioner of railroads
department of transportation after notice to the municipality.

**SECTION 2166.** 191.21 of the statutes is amended to read:

**191.21 Notices in counties without newspapers.** If no newspaper is
published in any county in which a railroad is proposed to be located, the publications
required by this chapter may be made in such manner and at such places as the office
department shall designate.

**SECTION 2167.** 192.001 (1r) of the statutes is created to read:

192.001 (1r) “Division of hearings and appeals” means the division of hearings
and appeals in the department of administration.

**SECTION 2168.** 192.001 (2) of the statutes is repealed.

**SECTION 2169.** 192.14 (10) of the statutes is amended to read:
192.14 (10) If in any particular case any temporary exemption from any requirement of this section is deemed necessary by a carrier, the office department shall consider the application of the carrier for temporary exemption and may grant the exemption when accompanied by a full statement of the conditions existing and the reasons for the exemption. Any exemption so granted will be limited to the particular case specified and shall be limited to a stated period of time.

SECTION 2170. 192.14 (12) of the statutes is amended to read:

192.14 (12) The office department may after public hearing make rules and establish the standards deemed necessary to carry out the purposes of this section.

SECTION 2171. 192.15 (14) of the statutes is amended to read:

192.15 (14) If in any particular case any exemption from any requirement of this section is deemed necessary by a carrier, the office department shall consider the application of the carrier for exemption and may grant the exemption when accompanied by a full statement of the conditions existing and the reasons for the exemption. Any exemption so granted shall be limited to the particular case specified and shall be limited to a stated period of time.

SECTION 2172. 192.25 (3) (a) of the statutes is amended to read:

192.25 (3) (a) The office department, by rule, may grant an exception to sub. (2) if the office department determines that the exception will not endanger the life or property of any person.

SECTION 2173. 192.27 (1) of the statutes is amended to read:

192.27 (1) When the track of a railway corporation crosses the track of any other railway corporation at grade, or when their tracks and right-of-way are adjacent, except in counties having a population of at least 150,000, the corporations shall, within 60 days after a written request of the office department or the council
or board of the city, town or village within which the tracks so cross or are adjacent,
make a track connection within such town, city or village to afford reasonable and
proper facilities for the interchange of traffic between their respective lines for
forwarding and delivering freight, and the expense thereof shall be borne equally by
those corporations, unless otherwise ordered by the office department.

SECTION 2174. 192.29 (1) of the statutes is amended to read:

192.29 (1) SETTING MAXIMUM SPEED. Upon petition to the office department by
the governing body of any city or village or by any railroad corporation alleging that
any railroad crossing of one or more public highways or streets in the city or village
is dangerous to human life and that public safety requires a designation of the
maximum speed of a train over such crossing or crossings, or that an order previously
made by the office department or, prior to the effective date of this subsection ....
[revisor inserts date], by the office of the commissioner of transportation under ch.
195, 1991 stats., or the office of the commissioner of railroads under ch. 195, 2001
stats., should be modified, the office department shall give notice to the parties in
interest and order a hearing thereon in the manner provided by s. 195.04 under ch.
227. If after the hearing the office department determines that the
crossing or crossings described in the petition are dangerous to human life, it may
by order determine what maximum speed of a train over the crossing is reasonably
required by public safety and is consistent with the public need for adequate and
expeditious passenger and freight service by railroad, having due regard for other
orders entered by the office department, or, prior to the effective date of this
subsection .... [revisor inserts date], by the office of the commissioner of
transportation or the office of the commissioner of railroads, and to practical railroad
operating conditions. Where the office department has designated the maximum
speed of any train or trains over such crossing or crossings, or, prior to the effective
date of this subsection .... [revisor inserts date], the office of the commissioner of
transportation or the office of the commissioner of railroads has designated the
maximum speed of any train or trains over such crossing or crossings and the
designation remains unmodified by the department, the rate of speed shall be the
lawful maximum speed at which any train affected by the order can be operated over
the public highway or street crossing, until changed by subsequent order of the office
department. Every railroad corporation violating any order entered under this
subsection shall for every violation forfeit not less than $10 nor more than $100. The
jurisdiction over train speeds hereby vested in the office department shall be
exclusive, but any order entered by the office department hereunder shall be subject
to judicial review in the manner provided by ch. 227.

SECTION 2175. 192.29 (2) of the statutes is amended to read:

192.29 (2) ARTERIAL STOP SIGNS. In any proceeding under sub. (1) or under s.
195.28, the office department may by order require that the state or municipality
install at any crossing involved in such proceeding an official stop sign.

SECTION 2176. 192.29 (4) of the statutes is amended to read:

192.29 (4) HIGHWAYS, WHISTLE, HORN, BELL. No railroad train or locomotive shall
run over any public traveled grade highway crossing outside of the limits of
municipalities unless the whistle or horn shall be blown 1,320 feet from such crossing
and the engine bell rung continuously from thence until the crossing be reached. But
the office department may order that the ringing of the bell or the blowing of the
whistle, or horn, or both, as required by this subsection shall be omitted at any
crossing.

SECTION 2177. 192.29 (5) of the statutes is amended to read:
192.29 (5) **Danger Warning Signs.** Wherever its track crosses a public highway or street, every railroad corporation shall maintain on each side of the track and near such crossing a large signboard with the following inscription, painted in large letters: “Railroad Crossing,” in such manner as to be visible to approaching traffic on the highway or street at least 100 feet distant railroad crossing sign. The sign shall be constructed and erected as provided in the manual adopted by the department under s. 84.02 (4) (e).

**Section 2178.** 192.31 (1) of the statutes is amended to read:

192.31 (1) Every railroad corporation shall maintain suitable telltales wherever any overhead structure or any part thereof is less than 23 feet above the top of rail; except that if the office department finds that the installation of a telltale at any particular place would be impracticable or would result in an increased hazard to either the public or an employee and that either or both such factors outweigh the safety benefit which would result from the installation of a telltale, the office department may enter an order providing an exemption from this section. The exemption shall be ordered by the office department only after public hearing under sub. (4).

**Section 2179.** 192.31 (2) of the statutes is amended to read:

192.31 (2) The office department may determine the materials for and the construction and placing of such telltales.

**Section 2180.** 192.31 (4) of the statutes is amended to read:

192.31 (4) Upon finding that any such structure will not imperil life or limb, and that the public interest requires or permits such structure to be constructed or reconstructed otherwise than as permitted by sub. (3), the office department may exempt such structure from such provision. Such findings shall be made only upon
written application, setting forth fully the grounds therefor and shall be made only
after public hearing. The findings and order granting exemption shall be in writing
and contain complete provisions and requirements as to the vertical clearance to be
maintained in such construction or reconstruction. Such structure shall be
constructed or reconstructed only in compliance with such order.

Section 2181. 192.31 (5) of the statutes is amended to read:

192.31 (5) Prior to July 1, in each year every corporation operating a railroad
within the state shall file with the office department a verified statement showing
the location of every such bridge or other structure over any of its tracks at a height
of less than 23 feet above the top of rail, together with a statement showing whether
or not the provisions of this section have been fully complied with.

Section 2182. 192.324 of the statutes is amended to read:

192.324 Railroad bridges to be safe for employees. Whenever a complaint
is lodged with the office department by any person to the effect that a railroad bridge
because of its style of construction does not have walks or railings and for that reason
is dangerous to the life and limb of railroad employees and the safety of such
employees requires the alteration so as to provide for such walks and railings of such
bridge, the office department shall give notice to the party in interest, other than the
complainant, of the filing of the complaint and furnish such party with a copy thereof,
and order a hearing thereon, in the manner provided for hearings in s. 195.31. The
office under s. 85.013 (3) and ch. 227 by the division of hearings and appeals. The
department may proceed in a similar manner in the absence of a complaint when,
in the opinion of the office department, the safety of railroad employees requires the
alteration of a railroad bridge. After the hearing, the office division of hearings and
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appeals shall determine what alteration, if any, of such bridge, shall be made. The expense of such alteration shall be borne by the railroad company.

Section 2183. 192.327 (3) of the statutes is amended to read:

192.327 (3) The office department shall make and enforce reasonable rules relating to motor vehicles used to transport workers to and from their places of employment or during the course of their employment.

Section 2184. 192.327 (4) of the statutes is repealed.

Section 2185. 192.327 (5) of the statutes is repealed.

Section 2186. 192.327 (6) of the statutes is amended to read:

192.327 (6) The office department may, in enforcing the rules, inspect any motor vehicle used to transport workers to and from their places of employment or during the course of their employment. Upon request of the office, the department shall direct its traffic officers to assist the office in those inspections.

Section 2187. 192.327 (7) of the statutes is amended to read:

192.327 (7) Whenever the office department finds that a motor vehicle used to transport workers to and from their places of employment or during the course of their employment violates any provision of the rules, the office department shall make, enter and serve upon the owner of the motor vehicle such order as may be necessary to protect the safety of workers transported in the motor vehicle.

Section 2188. 192.33 (5) of the statutes is amended to read:

192.33 (5) The maintenance of cattle guards may be omitted by the railroad company with the written consent of the office department specifying the particular crossings.

Section 2189. 192.34 of the statutes is amended to read:
192.34 **Fences; complaint of insufficient; hearing; order.** Upon complaint to the division of hearings and appeals by the owner or occupant of any land contiguous to the right-of-way of any railroad that the railroad company operating the line has failed to construct or keep in good repair fences along its right-of-way opposite to the complainant’s land as required under s. 192.33, the office division of hearings and appeals shall proceed on the complaint in the manner provided in s. 195.04 under ch. 227. If it shall appear that the complaint is well founded, the office division of hearings and appeals may order and direct the railroad company to repair the complained of fences so that the fences will be sufficient or to construct legal fences.

**SECTION 2190.** 192.47 of the statutes is amended to read:

192.47 **Railroad police; oath; powers.** Any railway company may, at its own expense, appoint and employ railroad police officers at the stations or other places on the line of its road within this state as it deems necessary for the protection of its property and the preservation of order on its premises and in and about its cars, depots, depot grounds, yards, buildings or other structures. Each police officer shall take an oath to support the constitution of the United States and claiming to be a citizen of the United States and shall file it with the office department. Each police officer shall, when on duty, wear a shield furnished by the company bearing the words “Railroad Police” and the name of the company. These police officers may arrest, with or without warrant, any person who in their presence commits upon the premises of the company or in or about its cars, depots, depot grounds, yards, buildings or other structures any offense against the laws of this state or the ordinances of any town, city or village, and shall also have the authority of sheriffs in regard to the arrest or apprehension of these offenders in or about the premises.
or appurtenances. In case of the arrest, by a railroad police officer, of any person
without warrant the officer shall immediately take the offender before a judge
having jurisdiction and make complaint against the offender. Every railway
company shall be responsible for the acts of its police officers.

SECTION 2191. 192.52 (3) of the statutes is amended to read:

192.52 (3) No railroad company operating in this state shall remove its shops
from the place where the same are now located to any other point within or without
this state or permanently close any shops in this state without first having secured
the consent and permission of the office an order for such removal from the division
of hearings and appeals, after due notice and public hearing, and in all other respects
as provided for hearings in ch. 195 227. The office division of hearings and appeals
shall render its decision within 30 days after such hearing.

SECTION 2192. 192.52 (4) of the statutes is amended to read:

192.52 (4) No railroad company operating in this state shall remove or transfer
its terminals or permanently close any terminals in this state without the permission
or consent of the office an order for such removal, transfer or closing from the division
of hearings and appeals after due hearing had on the matter, in compliance with ch.
195 227.

SECTION 2193. 192.52 (5) of the statutes is amended to read:

192.52 (5) Before any railroad company operating in this state shall make any
removal or transfer of shops or terminals or abandons the same, it shall file notice
of intention so to do with the office division of hearings and appeals, and the office
division of hearings and appeals shall have the power to investigate whether such
proposed removal, transfer or abandonment, as the case may be, is in the public
interest and is not unreasonable or unfair as to the employees of such railroad
company. No such removal or transfer shall be made during such investigation, or thereafter, if the office division of hearings and appeals finds such removal, transfer or abandonment is not in the public interest or is unreasonable or unfair as to the employees of such railroad.

SECTION 2194. 192.53 (4) (a) of the statutes is amended to read:

192.53 (4) (a) Upon finding that any structure that is subject to the provisions of this section will not imperil life or limb, and that the public interest requires or permits the structure to be constructed or reconstructed otherwise than as permitted by the provisions of this section, the office department may exempt the structure from the provisions of this section.

SECTION 2195. 192.53 (4) (b) of the statutes is amended to read:

192.53 (4) (b) The office department shall make the findings described in par. (a) only upon written application to it to exempt the construction or reconstruction of a structure from the requirements of this section, setting forth fully the grounds therefor, and only after public hearing. The office's department's findings and order granting the exemption shall be in writing and shall contain complete provisions and requirements as to the horizontal clearance to be maintained in the construction or reconstruction. The structure shall be constructed or reconstructed only in compliance with the office's department's order.

SECTION 2196. 192.53 (5) (a) (intro.) of the statutes is amended to read:

192.53 (5) (a) (intro.) Except as otherwise provided in this section and subject to the power of the office department to make exceptions to this section in a manner similar to the power given it in sub. (4), no railroad or shipper may do any of the following:

SECTION 2197. 192.53 (6) of the statutes is amended to read:
192.53 (6) Any railroad or shipper to which this section applies, who violates any provision of this section or who fails, neglects or refuses to obey any lawful order made by the office department under this section, shall be fined not more than $100 or imprisoned for not more than 60 days or both.

**SECTION 2198.** 192.55 (5) of the statutes is repealed.

**SECTION 2199.** 192.56 (1) of the statutes is amended to read:

192.56 (1) It is unlawful for any railroad company owning or operating any railroad in whole or in part in this state, to abandon any station in any town, village or city on its line of railroad, within this state, or to remove the depot therefrom, or to withdraw agency service therefrom, without first obtaining from the office division of hearings and appeals an order authorizing such action.

**SECTION 2200.** 192.56 (2) of the statutes is amended to read:

192.56 (2) At a station where agency service is provided the application to the office division of hearings and appeals for such authorizing order shall set forth the facts showing the necessity for such action by the railroad company, and if the office division of hearings and appeals finds that the application is sufficient presumptively to justify the order prayed for, it shall enter an order fixing the time and place of hearing on the application, which time shall not be less than 20 days after the posting provided for in sub. (3).

**SECTION 2201.** 192.56 (3) of the statutes is amended to read:

192.56 (3) Notice of the time and place of the hearing and of the purpose thereof shall be given, by the office division of hearings and appeals, by posting the notice in 5 conspicuous places in the town or village.

**SECTION 2202.** 192.56 (5) of the statutes is amended to read:
192.56 (5) The hearing shall be held as other hearings before the office division of hearings and appeals are held as far as applicable. The office division of hearings and appeals may dismiss the application or may grant it in whole or in part and under such conditions as it may deem equitable.

**SECTION 2203.** 192.56 (6) of the statutes is amended to read:

192.56 (6) At a station where no agency service is provided, the application to the office division of hearings and appeals for such authorizing order shall set forth the facts showing the necessity for such action by the railroad company. Notice of proposed removal or abandonment shall be given by the office division of hearings and appeals by posting notice in 5 conspicuous places in the town or village concerned; and if within 20 days after the posting of notice no objections in writing are filed with the office division of hearings and appeals by persons directly affected, an order authorizing the abandonment of the station may be issued by the office division of hearings and appeals. If such objections to the granting of the order are filed with the office division of hearings and appeals, the office division of hearings and appeals shall proceed to hold a hearing in the matter as provided in subs. (4) and (5).

**SECTION 2204.** 194.51 of the statutes is amended to read:

194.51 **Suit to recover protested tax.** No suit shall be maintained in any court to restrain or delay the collection or payment of the taxes levied in this chapter. The aggrieved taxpayer shall pay the tax as and when due, and, if paid under protest, may at any time within 90 days from the date of such payment, sue the state in an action at law to recover the tax so paid. If it is finally determined that said tax, or any part thereof, was wrongfully collected for any reason, it shall be the duty of the department secretary of administration to issue a warrant on the state treasurer for
pay out of the transportation fund the amount of such tax so adjudged to have been
wrongfully collected, and the treasurer shall pay the same out of the transportation
fund. A separate suit need not be filed for each separate payment made by any
taxpayer, but a recovery may be had in one suit for as many payments as may have
been made within any 90-day period preceding the commencement of such an action.
Such suits shall be commenced as provided in s. 775.01.

SECTION 2205. 195.001 (1r) of the statutes is created to read:
195.001 (1r) “Division of hearings and appeals” means the division of hearings
and appeals in the department of administration.

SECTION 2206. 195.001 (2) of the statutes is repealed.

SECTION 2207. 195.001 (3) of the statutes is created to read:
195.001 (3) “Secretary” means the secretary of transportation.

SECTION 2208. 195.03 (title) of the statutes is amended to read:
195.03 (title) Office Department; powers and duties, general
enumeration.

SECTION 2209. 195.03 (1) of the statutes is amended to read:
195.03 (1) Practice Rules. The office department may take testimony and
administer oaths and may promulgate rules to govern its proceedings and to regulate
the mode and manner of all hearings. All hearings shall be open to the public.

SECTION 2210. 195.03 (2) of the statutes is amended to read:
195.03 (2) Office Department Initiative. In any matter within its jurisdiction
under ch. 192 or this chapter, the office department may initiate, investigate and
order a hearing at its discretion upon such notice as it considers proper.

SECTION 2211. 195.03 (7) of the statutes is amended to read:
195.03 (7) Study carrier business, demand information. The office department may inquire into the management of the business of all railroads, and shall keep itself informed as to the manner in which the same is conducted, and may obtain from any railroad all necessary information to enable the office department to perform the duties and carry out the objects for which it is responsible.

**Section 2212.** 195.03 (8) of the statutes is amended to read:

195.03 (8) Questionnaires, answers compulsory. The office department shall prepare forms for the purpose of obtaining the information which it may deem necessary or useful to the proper exercise of its functions, which shall conform as nearly as practicable to the forms prescribed by the Interstate Commerce Commission federal surface transportation board, and shall furnish the forms to railroads, and every railroad receiving the forms shall cause the forms to be properly completed and verified under oath by its proper officer and returned to the office department within the time fixed by the office department.

**Section 2213.** 195.03 (9) of the statutes is amended to read:

195.03 (9) Examine books and files of carriers. The commissioner of railroads secretary or any person employed by the office department for that purpose shall, upon demand, have the right to inspect the books and papers of any railroad and to examine under oath any officer, agent or employee of such railroad in relation to its business and affairs; provided that any person other than the commissioner of railroads secretary who makes such demand shall produce his or her authority under the hand and seal of the office secretary.

**Section 2214.** 195.03 (10) of the statutes is amended to read:

195.03 (10) Production of records and files kept out of state. The office department may, by an order or subpoena to be served in the manner that a circuit
court summons is served, require the production within this state, at such time and
place as it may designate, of any books, papers or accounts kept by any railroad
without the state, or verified copies in lieu thereof, if the office department shall so
order.

SECTION 2215. 195.03 (11) of the statutes is amended to read:

195.03 (11) **Uniform System of Accounting.** The office department may
prescribe a uniform system of keeping and rendering accounts of all railroad
business transacted in this state, and the time within which railroads shall adopt
such system; provided that all forms of accounts which may be prescribed by the
office department shall conform as nearly as practicable to similar forms prescribed
by federal authority.

SECTION 2216. 195.03 (12) of the statutes is repealed.

SECTION 2217. 195.03 (13) of the statutes is repealed.

SECTION 2218. 195.03 (14) of the statutes is repealed.

SECTION 2219. 195.03 (15) of the statutes is repealed.

SECTION 2220. 195.03 (16) of the statutes is repealed.

SECTION 2221. 195.03 (17) of the statutes is amended to read:

195.03 (17) **Private Tracks.** The office department shall have control of private
railroad tracks insofar as the same are used by common carriers for the
transportation of freight, in all respects the same as though such tracks were part
of a public railroad.

SECTION 2222. 195.03 (18) of the statutes is amended to read:

195.03 (18) **Safety Devices.** The office department may make reasonable rules,
regulations, specifications and standards for the installation, operation and
maintenance of all safety devices and measures.
Section 2223. 195.03 (19) of the statutes is amended to read:

195.03 (19) Railroad Structures. The office department may order the repair or reconstruction of any inadequate or unsafe railroad track or structure.

Section 2224. 195.03 (25) of the statutes is amended to read:

195.03 (25) Distribution of Orders. The office department shall upon application furnish certified copies, under its seal, of any order made by it, which shall be prima facie evidence of the facts stated therein.

Section 2225. 195.03 (28) of the statutes is amended to read:

195.03 (28) Legal Actions. The office may sue and be sued in that name, and department may confer with or participate in any proceedings before any regulatory agency of any other state or of the federal government.

Section 2226. 195.03 (29) of the statutes is amended to read:

195.03 (29) Train Privileges. The employees authorized by the office department to perform railroad inspection duties may, in the performance of such duties, ride in and upon any engine, car or train of any class, of any railroad, upon payment of the lawful passenger fare, but such railroad shall not thereby be deemed to become a common carrier of passengers other than on passenger cars.

Section 2227. 195.03 (30) (a) of the statutes is amended to read:

195.03 (30) (a) The office department shall give testimony at the hearing under s. 350.138 (4) (b), or shall submit a written report for introduction into the hearing record, on the factors stated in s. 350.138 (4) (d) 1., 2., 3., and 4.

Section 2228. 195.03 (30) (b) of the statutes is amended to read:

195.03 (30) (b) The office department shall give the department of natural resources the office's department's opinion on whether the snowmobile crossing
should be closed or removed in testimony at the hearing under s. 350.1395 (2) (b) 2.
or in a written report for introduction into the hearing record.

SECTION 2229. 195.04 of the statutes is repealed.

SECTION 2230. 195.041 of the statutes is repealed.

SECTION 2231. 195.042 of the statutes is repealed.

SECTION 2232. 195.043 of the statutes is repealed.

SECTION 2233. 195.044 of the statutes is repealed.

SECTION 2234. 195.045 of the statutes is repealed.

SECTION 2235. 195.046 of the statutes is repealed.

SECTION 2236. 195.047 of the statutes is repealed.

SECTION 2237. 195.05 of the statutes is repealed.

SECTION 2238. 195.055 of the statutes is amended to read:

195.055 Judicial review. All orders and determinations of the office

department under this chapter are subject to judicial review under ch. 227.

SECTION 2239. 195.06 of the statutes is repealed.

SECTION 2240. 195.07 (1) of the statutes is repealed.

SECTION 2241. 195.07 (2) of the statutes is amended to read:

195.07 (2) ATTORNEY GENERAL AND DISTRICT ATTORNEY TO PROSECUTE. Upon

request of the office department, the attorney general or the district attorney of the

proper county shall aid in any investigation, hearing or trial had under, and shall

institute and prosecute all necessary actions or proceedings for the enforcement of,

laws relating to railroads.

SECTION 2242. 195.08 of the statutes is repealed.

SECTION 2243. 195.09 of the statutes is repealed.

SECTION 2244. 195.10 of the statutes is repealed.
SECTION 2245. 195.11 of the statutes is repealed.

SECTION 2246. 195.12 of the statutes is repealed.

SECTION 2247. 195.13 of the statutes is repealed.

SECTION 2248. 195.14 of the statutes is repealed.

SECTION 2249. 195.15 of the statutes is repealed.

SECTION 2250. 195.16 of the statutes is repealed.

SECTION 2251. 195.17 of the statutes is repealed.

SECTION 2252. 195.19 (1) of the statutes is amended to read:

195.19 (1) PASSENGER. Every railroad shall provide and maintain adequate passenger depots equipped with proper toilet facilities at its regular stations for the accommodation of passengers, and said depots shall be kept clean, well-lighted and warmed, for the comfort and accommodation of the traveling public, and shall be kept open continuously from not less than 20 minutes before any train carrying passengers is scheduled to arrive and until such train has departed and for such longer period in any case as the office department may determine is necessary for the convenience and accommodation of the public. Where the office department determines that the service of certain trains in making stops on signals is in excess of reasonably adequate service, the provisions of this section shall not apply in connection with the rendition of such service.

SECTION 2253. 195.19 (3) of the statutes is amended to read:

195.19 (3) UNION DEPOT. In every city, village or town in which 2 or more railroads maintain passenger depots, it shall be the duty of such railroads to construct, maintain and use an adequate union passenger depot, whenever practical and required by public convenience and necessity. If, after investigation, the office department shall determine that it is practicable and that public convenience and
necessity required the construction, maintenance and use of a union passenger depot in any such city, village or town the office department may order such railroads to construct, maintain and use an adequate union passenger depot, and shall in such order fix the location of such depot. If the railroads shall be unable to agree upon an apportionment of the original cost of such union passenger depot, and the expense of maintaining the same, within 20 days after the service of such order, the office department may, after a hearing, issue a supplemental order declaring the apportionment of such original cost and the expense of maintaining such depot.

SECTION 2254. 195.20 of the statutes is amended to read:

195.20 Joint use of railroad property. Whenever, upon complaint and after hearing had, the office department finds that public convenience and necessity require the use by one or more railroads of the tracks, wires, poles, rights-of-way, switches, bridges or other property belonging to another railroad over or on any street, railroad, railway, right-of-way, bridge or viaduct, upon or over which said railroads have a right to operate, and that such use will not prevent the owners or other users thereof from performing their public duties, nor result in irreparable injury to such owners or other users thereof, the office department may, by order, direct that such use be permitted, and prescribe a reasonable compensation and reasonable terms and conditions for such joint use.

SECTION 2255. 195.21 of the statutes is amended to read:

195.21 Warehouses. Any person proposing to erect or maintain a public elevator or public warehouse for the purchase, sale, storage, receiving or shipping of grain, or other personal property, to be received from or transported upon any railroad, shall be furnished by such railroad at a reasonable rental, a site upon its right-of-way or depot grounds, within the yard limits of any station or terminal of
such railroad; and any private elevator or warehouse situated upon such grounds may be converted into a public elevator or warehouse at the option of the owner, upon notice in writing to the railroad and thereby be permitted to remain thereon under the same conditions as provided herein for a public elevator or warehouse; and the office department shall, upon application by such owner, if the public interest so requires, by order, direct the railroad to furnish such site and the office department shall make reasonable regulations therefor and in case of disagreement, the office department shall determine the rental therefor. Elevators and warehouses erected or maintained under the foregoing provisions of this section shall be subject to such rules and regulations as to charges and the manner of conducting business as the office department shall prescribe.

Section 2256. 195.26 of the statutes is amended to read:

195.26 Safety devices; block system. Every railroad shall adopt reasonably adequate safety measures and install, operate and maintain reasonably adequate safety devices for the protection of life and property. If after investigation the office department shall determine that public safety requires it, the office department may order the railroad to install, operate and maintain a block system or other safety device or measure as may be necessary to render the operation of such railroad reasonably safe.

Section 2257. 195.27 of the statutes is amended to read:

195.27 Safe tracks and bridges. Every railroad shall construct and maintain its tracks, bridges and line structures in a reasonably adequate and safe manner. The office may direct the department to investigate complaints in the manner provided by s. 195.04. If, upon complaint or upon its own motion and after hearing, the office the department determines that the track or structures of any
railroad are inadequate or unsafe for the operation of its railroad, the office department shall order the railroad to reconstruct or repair the inadequate or unsafe track or structures.

**SECTION 2258.** 195.28 (1) of the statutes is amended to read:

195.28 (1) Petition; hearing; order. Upon petition of the department, city a city council, village board, town board, superintendent of highways or by 5 or more electors in any town, village or city, or of any railroad corporation or railroad historical society, to determine whether a public highway and railroad grade crossing protects and promotes public safety, or upon its own motion, the office department may investigate and issue an appropriate order without a public hearing. The department shall issue its order on the basis of investigation and criteria promulgated by rule with respect to the adequacy of grade crossing protection. The rule may include programming criteria relating to the priority of grade crossings in need of protection. If the petitioner, railroad, railroad historical society or any interested party objects to the order and requests a hearing within 20 days after the date that the order is issued, the office shall proceed under s. 195.04. Notice of an investigation or hearing shall be served upon the department, which shall be an interested party, and any recommendation it may file with the office at or prior to a hearing, if there is one, regarding crossing protection shall be considered as evidence in the proceeding. The department shall refer the order to the division of hearings and appeals for review as provided in s. 195.325. The office department or the division of hearings and appeals shall determine whether the existing warning devices at such crossing are adequate to protect and promote public safety. If the office department or division of hearings and appeals determines, either without or after a hearing, that protection any such warning device is not adequate, it may order the
railroad company or railroad historical society to keep a flagman at the crossing or to install automatic signals or other suitable safety device at specific locations at such crossing. The office department or the division of hearings and appeals may order the relocation of existing signals and devices to improve protection at a crossing. Any crossing protection warning device installed or maintained as approved by the office department or the division of hearings and appeals, whether by order or otherwise, shall be deemed adequate and appropriate protection for the crossing.

SECTION 2259. 195.28 (3) of the statutes is amended to read:

195.28 (3) MAINTENANCE COSTS. Except as otherwise provided in this subsection, the cost of maintaining crossing protection warning devices ordered under sub. (1) shall be the responsibility of the railroad or railroad historical society. Any railroad company or railroad historical society that incurs expenses for maintenance of signals or other safety devices may file a claim for reimbursement with the department regardless of the date of installation of the signals or devices. At the close of each fiscal year the department shall reimburse claimants under this subsection for 50% of the costs, as determined by the office department, incurred for maintenance of railroad crossing protection warning devices from the appropriations under s. 20.395 (2) (gj) and (gq). If the amount in the appropriations under s. 20.395 (2) (gj) and (gq) is not adequate to fund maintenance reimbursement under this subsection, the amount shall be prorated in the manner determined by the office department.

SECTION 2260. 195.28 (4) of the statutes is amended to read:
195.28 (4) Previous office orders. Subsection (3) applies to maintenance costs for all crossing protection warning devices regardless of any prior order of the office apportioning maintenance costs.

**Section 2261.** 195.285 (1) of the statutes is amended to read:

195.285 (1) Upon If, upon its own motion or upon the petition of a railroad corporation, the department, or the governing body of any city, village, town or county asserting that the stopping of vehicles under s. 346.45 at a railroad crossing is hazardous to human life, the office shall hold a hearing on the matter as provided under s. 195.04. Notice of petition shall be served upon the department, which shall be an interested party, and any recommendations it may file with the office regarding the hazardous effect of vehicles stopping at such crossings shall be considered as evidence in the proceedings. Upon the recommendation of the department and concurrence by the office, the petition may be dismissed without holding a hearing. If, upon the public hearing, the office department determines that it would be in the public interest to exempt vehicles specified in s. 346.45 from stopping at such grade crossing, it may, without a hearing, order the public body having jurisdiction over the highway to erect signs, signals, markings or other devices exempting such vehicles from stopping at the crossing. If a petitioner or interested party objects to an order under this subsection within 20 days after the date that the order is issued, the department shall refer the order to the division of hearings and appeals for review as provided in s. 195.325.

**Section 2262.** 195.285 (2) of the statutes is amended to read:

195.285 (2) Signs placed upon the order of the office department or the division of hearings and appeals under this section shall exempt vehicles from stopping as
required under s. 346.45, unless a train or engine is occupying or approaching the crossing.

**SECTION 2263.** 195.285 (3) of the statutes is amended to read:

195.285 (3) The department shall establish standards for the type of signs, signals, markings or other devices for exempting vehicles from stopping as required under s. 346.45 and their location in relation to the highway and railroad track. The office department may upon petition or its own motion, with or without a hearing, order the removal of a sign exempting vehicles from stopping at a crossing.

**SECTION 2264.** 195.286 (2) of the statutes is repealed and recreated to read:

195.286 (2) DESCRIPTION AND LOCATION. The signs shall be constructed, erected and located as specified by the manual adopted by the department under s. 84.02 (4) (e). This subsection does not apply to any sign complying with s. 195.286 (2) and (3), 2001 stats., on the effective date of this subsection .... [revisor inserts date], until such time as the sign is replaced or relocated.

**SECTION 2265.** 195.286 (3) of the statutes is repealed.

**SECTION 2266.** 195.286 (5) of the statutes is amended to read:

195.286 (5) OTHER SIGNS PROHIBITED. No other sign of the general size or appearance of the signs provided for in this section shall be placed or permitted upon any highway, nor any sign between such advance signs except signs or signals now required by law or permitted by the office for protection at railway crossings.

**SECTION 2267.** 195.286 (6) (title) of the statutes is amended to read:

195.286 (6) (title) PENALTIES RELATING TO FENCES SIGNS.

**SECTION 2268.** 195.286 (8) of the statutes is amended to read:

195.286 (8) PROSECUTIONS. The district attorney shall prosecute any person violating this section, or begin and maintain any civil action necessary for its
section 2268. 195.29 (1) of the statutes is amended to read:

195.29 (1) Petition, hearing, public safety, order. Upon if, upon its own
motion or upon petition by the common council or board of any city, village, town or
county within or bordering upon which a highway or street crosses a railroad, or a
highway or street is proposed to be laid out across a railroad, or a public highway
bridge across a railroad is required to connect existing streets or highways, or upon
petition by any railroad whose track crosses or is about to cross, or is crossed or about
to be crossed by a street or highway, or upon petition by the department, in cases
where provision has been made for the improvement of the highway adjacent to such
crossing under any state aid or federal aid law, the department determines that
public safety requires an alteration in such crossing, its approaches, the method of
crossing, the location of the highway or crossing, or the closing of the crossing, and
the substitution of another therefor at grade or not at grade, or the removal of
obstructions to the view at such crossing, the relocation of the highway, or requires
the determination of the manner of making such new crossing, or of making the
proposed improvement or promoting the public safety or public convenience through
any other reasonable method, and praying that the same may be ordered, the office
shall give notice to the parties in interest and proceed to investigate the same and
to order a hearing thereon in the manner provided by s. 195.04. The office shall
determine the department may issue an appropriate order without a public hearing.
The department shall make its determination on the basis of investigation and the
criteria relating to the requirements of public safety promulgated under sub. (9). The
order shall state what, if anything, shall be done to promote the public safety and the
means by which it shall be accomplished, whether by the relocation of the highway, the alteration in such crossing, approaches, mode of crossing, location of highway crossing, closing of highway crossing, with or without the substitution of another therefor, the construction of a public highway bridge, the removal of obstructions to sight at crossing, or by the use of other reasonable methods, and by whom the same shall be made, and in case of new crossings the advisability of allowing such crossings to be established and manner of making them.

SECTION 2270. 195.29 (2) of the statutes is amended to read:

195.29 (2) APPORTIONMENT OF EXPENSE. The office department shall fix the proportion of the cost and expense of alterations, removals and new crossings, or any other work ordered, including the damages to any person whose land is taken, and the special damages which the owner of any land adjoining the public street or highway shall sustain by reason of a change in the grade of such street or highway, or by reason of the removal of obstructions to view at such crossings, to be paid or borne by the railroad companies and the municipalities in interest. In fixing such proportion, the office department may order such cost and expense so apportioned to be paid by the parties against which the apportionment shall be made.

SECTION 2271. 195.29 (3) of the statutes is amended to read:

195.29 (3) RESTORATION OF SPUR TRACKS. Whenever the office department shall have ordered a separation of the grade of a railway from the grade of a street or highway, it may, if safe and practicable and if a necessity exists therefor, order the alteration, restoration and connection of any track serving an industry. Demand for such restoration shall be in writing and filed with the office department within 90 days after the date of the order for the separation of grades, and any such track for which no such demand shall have been made shall be deemed abandoned. If the
office department shall order the alteration, restoration and connection of any such track, it shall by its order apportion the cost thereof between the owner of the industry served and the railway company, in such proportion as to the office department may seem just and equitable; and the office department shall in its order prescribe the terms and conditions for securing the payment of such cost.

**SECTION 2272.** 195.29 (4) of the statutes is amended to read:

195.29 (4) Grade separation in Milwaukee County. The office department may upon petition of any town, city or village, or upon its own motion, when the interests of the public demand it and it is found practicable so to do, establish the grade of the tracks of any railroad, or of all the railroads throughout any county having a population of 500,000 or more, or any part thereof, and the grades of the streets or highways, or any of them, where they cross such railroad track or tracks, in anticipation of the future separation of grades of the railroad tracks from the grades of such streets or highways. The office department, before making any such order, shall mail notice to the railroad company or companies affected, the owners or occupants of any building abutting on that part of the railroad the grade of which is to be established, all 1st class cities in the county, and if the grades to be established are outside the 1st class city, the towns, cities or villages in which such grades are to be established, of the filing of such petition or that the office department contemplates establishing such grades, and fixing a time at which the 1st class cities and such other towns, cities or villages and the railroad company or companies affected thereby and any other person or corporation interested therein may be heard. The grades so established under this subsection shall be described by reference to a base or datum line to be established by the office department, from which all elevations and the height of all grades shall be measured, and the grades
so established shall be such that when brought to the established grade the railroad
tracks will cross the streets and highways above or below the same. Such order shall
not necessarily require a present change in grade but the office department may at
any time order the railroad track or tracks and the street and highways brought to
the grade established or any street or highways closed by the order, in accordance
with sub. (1), and may, at the time of making the order, apportion the cost of
separating the grades as provided in sub. (2).

SECTION 2273. 195.29 (5) of the statutes is amended to read:

195.29 (5) ELIMINATION OF GRADE CROSSINGS, COSTS. Upon its own motion
or upon petition of the department, or of the common council or board of any city,
village, town or county, alleging that one or more of them have undertaken or propose
to undertake to relocate or improve an existing highway or to construct a new
highway in such manner as to eliminate a highway grade crossing with any railroad
or so as to permanently divert a material portion of the highway traffic from a
highway grade crossing with any railroad, the office shall issue notice of
investigation and hearing, as provided in s. 195.04. If upon such hearing the office
department finds that the public safety will be promoted by the highway relocation,
improvement or new construction, the office department shall order the old crossings
closed and new crossings opened as are deemed necessary for public safety. The
department may issue an appropriate order without a public hearing. The order
shall require the railroad company or companies to pay to the interested
municipality or municipalities such sum as the office department finds to be an
equitable portion of the cost of the highway relocation, improvement or new
construction, if the work is performed by the municipalities; or to the state treasurer
if the work is performed by the state; or to the proper county treasurer if the work
is performed by the county. The sum shall be added to the joint fund available for
the improvement and may be expended in like manner as the other portions of the
fund.

SECTION 2274. 195.29 (5) of the statutes, as affected by 2003 Wisconsin .... (this
act), is amended to read:

195.29 (5) ELIMINATION OF GRADE CROSSINGS, COSTS. If, upon its own motion or
upon petition of the common council or board of any city, village, town, or county,
alleging that one or more of them have undertaken or propose to undertake to
relocate or improve an existing highway or to construct a new highway in such
manner as to eliminate a highway grade crossing with any railroad or so as to
permanently divert a material portion of the highway traffic from a highway grade
crossing with any railroad, the department finds that the public safety will be
promoted by the highway relocation, improvement, or new construction, the
department shall order the old crossings closed and new crossings opened as are
deemed necessary for public safety. The department may issue an appropriate order
without a public hearing. The order shall require the railroad company or companies
to pay to the interested municipality or municipalities such sum as the department
finds to be an equitable portion of the cost of the highway relocation, improvement,
or new construction, if the work is performed by the municipalities; or to the state
treasurer secretary of administration if the work is performed by the state; or to the
proper county treasurer if the work is performed by the county. The sum shall be
added to the joint fund available for the improvement and may be expended in like
manner as the other portions of the fund.

SECTION 2275. 195.29 (6) of the statutes is amended to read:
195.29 (6) View at crossings; trees and brush near crossings; forfeiture.

Every railroad shall keep its right-of-way clear of brush or trees for a distance of not less than 330 feet in each direction from the center of its intersection at grade with any public highway, and for such further distance as is necessary to provide an adequate view of approaching trains, from the highway. Every municipality shall keep the public highways within its jurisdiction clear of brush and shall adequately trim all trees within 330 feet of the center of any railroad highway grade crossing. Every person or corporation owning or occupying any land adjacent to any railroad highway grade crossing shall keep all brush cut and adequately trim all trees on the land within the triangles bounded on 2 sides by the railway and the highway, and on the 3rd side by a line connecting points on the center lines of the railway and the highway, 330 feet from the intersection of the center lines. The office department, upon its own motion, or upon any complaint to the effect that any work required by this subsection has not been performed, after due notice and hearing, may order the corporation, municipality or person at fault to perform the work; provided, however, that if the physical conditions at any crossing are such that the performance of the required work will not materially improve the view for highway traffic, or, if unreasonable loss would be caused thereby, the office department may excuse the party in interest from performing the same. The office department may also order the cutting of brush and the trimming of trees at private farm crossings as may be necessary and reasonable. If any person shall violate any provision of this section, or shall fail, neglect or refuse to obey any order made by the office department under this section, or any judgment, order, or decree made by the division of hearings and appeals or any court upon such an order, for every such violation, failure or refusal such person shall forfeit not less than $25 nor more than $150.
SECTION 2276. 195.29 (7) of the statutes is amended to read:

195.29 (7) Structure requirements. Whenever the office department shall order the construction or reconstruction of a crossing not at grade, it may direct that the structure required shall be of such character and constructed of such materials as it shall deem appropriate to the situation and necessary for the public interest.

SECTION 2277. 195.29 (9) of the statutes is created to read:

195.29 (9) Rules. The department shall promulgate a rule establishing criteria for determining the requirements of public safety with respect to railroad highway crossings under this section. The rule shall include criteria for apportioning expenses under this section.

SECTION 2278. 195.29 (10) of the statutes is created to read:

195.29 (10) Review of department orders. If a petitioner, railroad or any interested party objects to an order under this section within 20 days after the date that the order is issued, the department shall refer the order to the division of hearings and appeals for review as provided in s. 195.325.

SECTION 2279. 195.295 of the statutes is created to read:

195.295 Highway crossings; public warning. Notwithstanding ss. 195.28, 195.285, 195.286, 195.29, and 195.30, the department shall monitor and investigate all railroad highway grade crossings in this state, and determine, by order, rule or otherwise, for each crossing whether any warning devices, advance warning signs or other warning measures shall be required to protect and promote public safety. The department may make a determination under this section without a hearing. Any device, sign, or other measure, installed or maintained at a crossing, that conforms to a determination of the department under this section or, if no such determination has been made, that was approved by the office of the commissioner
of transportation under ch. 195, 1991 stats., or the office of the commissioner of
railroads under ch. 195, 2001 stats., before the effective date of this section ....
[revisor inserts date], whether by order or otherwise, shall be considered adequate
and appropriate warning for the crossing. If a railroad or interested party objects
to an order under this section within 20 days after the date that the order is issued,
the department shall refer the order to the division of hearings and appeals for
review as provided in s. 195.325.

SECTION 2280. 195.30 (1) of the statutes is amended to read:

195.30 (1) Upon a petition by the common council of any city, or the board of
any village, town or county within which a railroad crosses another railroad at grade,
or by any such railroad, that public safety requires an alteration in the crossing or
the installation of protective appliances, the office shall give notice to the parties in
interest, and proceed to investigate the same and may order a hearing on the matter.
The office shall determine what alteration in such crossing, if any, shall or on its own
motion, the department may investigate the matter and determine what alteration
in the crossing, if any, is necessary. The department shall make its determination
on the basis of the criteria for public safety requirements promulgated as rules under
ss. 84.05 and 195.28. The department may issue an order, with or without a hearing,
specifying an alteration to be made, and by whom made and maintained, or what
protective appliances shall be installed, operated and maintained at the crossing and
by whom installed, operated and maintained. The office department’s order shall fix
the proportion of the cost and expense of such change in grade and maintenance of
the crossing or of the installation, operation and maintenance of the safety appliance
which shall be paid by the railroad companies, respectively. If an interested party
objects to the order and requests a hearing within 20 days after the date on which
the order is issued, the department shall refer the matter to the division of hearings
and appeals for review as provided in s. 195.325.

SECTION 2281. 195.305 of the statutes is amended to read:

195.305 Railroad crossings; grade; expense. Whenever a railroad
proposes to cross, intersect, join or unite its track with another railroad track, the
surface road of the proposed track shall be above, below or at grade of the tracks
proposed to be crossed as the office division of hearings and appeals determines after
hearing the parties upon reasonable notice. In its determination, the office division
of hearings and appeals shall fix the proportion of the expense of originally
constructing, operating, and maintaining such crossing, intersecting, joining or
uniting which shall be paid by the owners of the tracks respectively.

SECTION 2282. 195.31 of the statutes is amended to read:

195.31 Bridges made safe. Whenever a complaint is lodged with the office
department by the common council of any city, the village board of any village, a
member of a town board, or a supervisor of highways, or by 5 or more electors and
taxpayers in any town, or 5 or more electors of the county in which such bridge is
located, and who are users of such bridge or railway, to the effect that a bridge erected
over a stream intersecting a public highway or highways upon which a railway is
constructed and operated, is unsafe and dangerous to travelers over such highway
or highways or bridge or railroad, and that public safety requires the alteration, the
repair or reconstruction of such bridge, or the substitution of another bridge therefor,
it shall be the duty of the office to give notice to the party or parties in interest, other
than the petitioners, of the filing of such complaint, and to furnish a copy of the
complaint to the party or parties in interest other than the petitioners, and to order
a hearing thereon, in the manner provided for hearings in ss. 195.04 to 195.043. The
office the department shall investigate the matter. The department may proceed in
a similar manner in the absence of a petition when, in the opinion of the office
department, public safety requires the alteration, repair or reconstruction of a bridge
or the substitution of another bridge for the bridge in question. After the hearing,
the office The department shall determine what alteration or repair or
reconstruction of such bridge, and the approaches thereto, shall be made, or if it shall
determine determines that public safety requires the substitution of a new bridge,
it shall determine the character, manner of construction and location of such bridge
and the approaches thereto. The office department shall fix the proportion of the cost
and expense of such alteration, repair, reconstruction or substitution of a new bridge,
including the damage to any person whose land is taken, and the special damage
which the owner of any land adjoining the approaches to said bridge shall sustain
by reason of the alteration, repair, reconstruction or substitution of a new bridge, to
be paid by the railroad company and the city, village or town in interest. The
department may issue appropriate orders incorporating its determinations and may
proceed without a hearing on the matter. The department shall make its
determinations on the basis of investigation and criteria for bridge safety
promulgated by rule. If a petitioner or interested party objects to an order under this
section within 20 days after the date that the order is issued, the department shall
refer the order to the division of hearings and appeals for review as provided in s.
195.325.

SECTION 2283. 195.32 of the statutes is amended to read:

195.32 Safety gates on drawbridges. Whenever a complaint is filed with
the office department to the effect that any drawbridge is not equipped with gates
or other safety devices, the office department may notify the proper party or parties
in interest of the complaint, and may proceed to investigate the complaint and to hold
a hearing on the matter in the manner provided for hearings in ss. 195.04 to 195.043
matter. If after the investigation the office department determines that public safety
requires the erection and maintenance of gates or other safety devices at the points
mentioned in the complaint, it may order the county, city, village, town, corporation
or person whose duty it is to maintain such bridge to erect and maintain at such
points such gates or other safety devices as the office department prescribes. The
office department may conduct the investigations, hold the hearings and make the
orders provided for in this section upon its own motion in the same manner and with
the same effect as though a complaint were filed. The department shall make its
determination on the basis of the investigation and criteria for drawbridge safety
promulgated by rule. If an interested party objects to an order under this section
within 20 days after the date that the order is issued, the department shall refer the
order to the division of hearings and appeals for review as provided in s. 195.325.

SECTION 2284. 195.325 of the statutes is created to read:

195.325 Review of department orders on crossings and bridges. If an
order of the department under s. 84.05, 195.28, 195.285, 195.29, 195.295, 195.30,
195.31, or 195.32 is referred to the division of hearings and appeals for review, the
division of hearings and appeals shall review the order under s. 85.013 (3) in light
of the application of the criteria relating to the matter promulgated as rules by the
department.

SECTION 2285. 195.33 of the statutes is repealed.

SECTION 2286. 195.34 of the statutes is amended to read:

195.34 Reports of accidents, investigation. Every railroad shall report to
the office department all collisions, derailments or other accidents resulting in injury
to persons, equipment or roadway arising from its operation. The office department
may issue rules concerning the reporting of accidents and may also, if public
interests require, cause an investigation of any accident.

SECTION 2287. 195.36 of the statutes is amended to read:

195.36 General penalty upon railroads. If any railroad shall violate any
provision of this chapter, or shall do any act herein prohibited, or shall fail or refuse
to perform any duty enjoined upon it, for which a penalty has not been provided, or
shall fail, neglect or refuse to obey any lawful requirement or order made by the office
department or division of hearings and appeals, or any judgment or decree made by
any court upon its application, for every such violation, failure or refusal in respect
to any matter prescribed by this chapter such railroad shall forfeit not less than $100
nor more than $10,000. The act, omission or failure of any officer, agent or other
person employed by any railroad, acting within the scope of his or her employment,
shall be deemed to be the act, omission or failure of such railroad.

SECTION 2288. 195.37 of the statutes is repealed.

SECTION 2289. 195.38 of the statutes is repealed.

SECTION 2290. 195.45 (1) of the statutes is amended to read:

195.45 (1) No person shall operate as a common carrier of passengers or
property by water except in accordance with the terms and conditions of a certificate
of public convenience and necessity issued by the office. The office shall issue any
certificate upon a finding that the service proposed to be performed is in the public
interest and required by public convenience and necessity department.

SECTION 2291. 195.45 (2) of the statutes is amended to read:
195.45 (2) Application for the certificate shall be made on forms furnished by the office department and shall contain such information as the office department requires.

Section 2292. 195.45 (4) of the statutes is amended to read:

195.45 (4) The office department may promulgate rules for the operation of this section.

Section 2293. 195.50 (1) of the statutes is amended to read:

195.50 (1) Any officer, agent or employee of any railroad who fails to fill out and return any forms required by this chapter, or fails to answer any question therein, or knowingly gives a false answer to any such question, or evades the answer to any such question where the fact inquired of is within his or her knowledge, or who, upon proper demand, fails to exhibit to the office or department or the division of hearings and appeals or any person authorized to examine the same, any book, paper, account, record or memoranda of such railroad which is in the possession or under control of the officer, agent or employee, or who fails to properly use and keep the system of accounting prescribed by the office department, or who refuses to do any act or thing in connection with such system of accounting when so directed by the office or its department, the division of hearings and appeals, or their authorized representatives, shall forfeit not less than $100 nor more than $1,000 for each offense.

Section 2294. 195.60 (title) of the statutes is amended to read:

195.60 (title) Payment of office department expenses by railroads.

Section 2295. 195.60 (1) of the statutes is amended to read:

195.60 (1) Whenever the office department in a proceeding upon its own motion, on complaint, or upon an application to it deems it necessary in order to carry
out the duties imposed upon it by law to investigate the books, accounts, practices
and activities of, or make appraisals of the property of any railroad or to render any
engineering or accounting services to any railroad, the railroad shall pay the
expenses attributable to such investigation, appraisal or service. The office
department shall ascertain such expenses, including all expenses incurred by the
department at the request or direction of the office and shall render a bill therefor,
by mail, to the railroad, either at the conclusion of the investigation, appraisal or
services, or during its progress. The bill shall constitute notice of assessment and
demand of payment thereof. The railroad shall, within 30 days after the mailing
thereof, pay to the office department the amount of the special expense for which it
is billed. Ninety percent of the payment shall be deposited in the general fund and
credited to the appropriation account under s. 20.155 (2) (g) 20.395 (2) (gg). The total
amount, in any one calendar year, for which any railroad becomes liable, by reason
of costs incurred by the office department within such calendar year, shall not exceed
four-fifths of one percent of its gross operating revenues derived from intrastate
operations in the last preceding calendar year. Where, under this subsection, costs
are incurred within any calendar year, which are in excess of four-fifths of one
percent of such gross operating revenues, the excess costs shall not be chargeable as
part of the remainder under sub. (2) but shall be paid out of the general appropriation
to the office department. Nothing in this subsection shall prevent the office
department from rendering bills in one calendar year for costs incurred within a
previous year. For the purpose of calculating the costs of investigations, appraisals
and other services under this subsection, 90% of the costs determined shall be costs
of the office department and 10% of the costs determined shall be costs of state
government operations.
SECTION 2296. 195.60 (2) of the statutes is amended to read:

195.60 (2) The office department shall annually, within 90 days after the close of each fiscal year, ascertain the total of its expenditures during such year which are reasonably attributable to the performance of its duties relating to railroads. For purposes of such calculation, 90% of the expenditures so determined shall be expenditures of the office department and 10% of the expenditures so determined shall be expenditures for state government operations. The office department shall deduct therefrom all amounts chargeable to railroads under sub. (1) and s. 201.10 (3). A sum equal to the remainder plus 10% of the remainder shall be assessed by the office department to the several railroads in proportion to their respective gross operating revenues during the last calendar year, derived from intrastate operations. Such assessment shall be paid within 30 days after the bill has been mailed to the several railroads, which bill shall constitute notice of assessment and demand of payment thereof. The total amount which may be assessed to the railroads under authority of this subsection shall not exceed 1.85% of the total gross operating revenues of such railroads, during such calendar year, derived from intrastate operations. Ninety percent of the payment shall be deposited in the general fund and credited to the appropriation account under s. 20.155 (2) (g) 20.395 (2) (gg). The railroads shall furnish such financial information as the office department requires.

SECTION 2297. 195.60 (3) of the statutes is amended to read:

195.60 (3) If any railroad against which a bill has been rendered under sub. (1) or (2) within 30 days after the rendering of such bill neglects or refuses to pay the same or fails to file objections to the bill with the office division of hearings and appeals, the office department shall transmit to the state treasurer a certified copy
of the bill, together with notice of neglect or refusal to pay the bill, and on the same
day the office department shall mail to the railroad against which the bill has been
rendered a copy of the notice which it has transmitted to the state treasurer. Within
10 days after the receipt of such notice and certified copy of such bill, the state
treasurer shall levy the amount stated on such bill to be due, with interest, by
distress and sale of any goods and chattels, including stocks, securities, bank
accounts, evidences of debt, and accounts receivable belonging to such delinquent
railroad. Such levy by distress and sale shall be governed by the provisions of s.
74.10, 1985 stats., except that it shall be made by the state treasurer and that said
goods and chattels anywhere within the state may be levied upon.

SECTION 2298. 195.60 (3) of the statutes, as affected by 2003 Wisconsin Act ....
(this act), is amended to read:

195.60 (3) If any railroad against which a bill has been rendered under sub. (1)
or (2) within 30 days after the rendering of such bill neglects or refuses to pay the
same or fails to file objections to the bill with the division of hearings and appeals,
the department shall transmit to the state treasurer secretary of administration a
certified copy of the bill, together with notice of neglect or refusal to pay the bill, and
on the same day the department shall mail to the railroad against which the bill has
been rendered a copy of the notice which it has transmitted to the state treasurer
secretary of administration. Within 10 days after the receipt of such notice and
certified copy of such bill, the state treasurer secretary of administration shall levy
the amount stated on such bill to be due, with interest, by distress and sale of any
goods and chattels, including stocks, securities, bank accounts, evidences of debt,
and accounts receivable belonging to such delinquent railroad. Such levy by distress
and sale shall be governed by the provisions of s. 74.10, 1985 stats., except that it
shall be made by the state treasurer secretary of administration and that said goods and chattels anywhere within the state may be levied upon.

**SECTION 2298.** 195.60 (4) (a) of the statutes is amended to read:

195.60 (4) (a) Within 30 days after the date of the mailing of any bill as provided by subs. (1) and (2), the railroad against which such bill has been rendered may file with the office division of hearings and appeals objections setting out in detail the grounds upon which the objector regards the bill to be excessive, erroneous, unlawful or invalid. The office division of hearings and appeals, after notice to the objector and the department, shall hold a hearing upon such objections, not less than 5 nor more than 10 days after such notice. If after such hearing the office division of hearings and appeals finds any part of the bill to be excessive, erroneous, unlawful or invalid it shall record its findings upon its minutes with respect to the objections and transmit to the objector and the department an amended bill, in accordance with such findings. The amended bill shall have in all ways the same force and effect under this section as an original bill rendered under subs. (1) and (2).

**SECTION 2300.** 195.60 (4) (b) of the statutes is amended to read:

195.60 (4) (b) If after the hearing the office division of hearings and appeals finds the entire bill unlawful or invalid, it shall notify the objector and the department of such determination, in which case the original bill shall be deemed void.

**SECTION 2301.** 195.60 (4) (c) of the statutes is amended to read:

195.60 (4) (c) If after the hearing the office division of hearings and appeals finds that the bill as rendered is neither excessive, erroneous, unlawful or invalid, either in whole or in part, it shall record such findings upon its minutes with respect
to the objections, and transmit to the objector and the department notice of such finding.

**SECTION 2302.** 195.60 (4) (d) of the statutes is amended to read:

195.60 (4) (d) If any bill against which objections have been filed is not paid within 10 days after notice of a finding that such objections have been overruled and disallowed by the office division of hearings and appeals has been mailed to the objector, the office department shall give notice of such delinquency to the state treasurer and to the objector, in the manner provided in sub. (3). The state treasurer shall then proceed to collect the amount of the bill as provided in sub. (3). If an amended bill is not paid within 10 days after a copy thereof is mailed to the objector by registered mail, the office department shall notify the state treasurer and the objector as in the case of delinquency in the payment of an original bill. The state treasurer shall then proceed to collect the amount of the bill as provided in the case of an original bill.

**SECTION 2303.** 195.60 (4) (d) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

195.60 (4) (d) If any bill against which objections have been filed is not paid within 10 days after notice of a finding that such objections have been overruled and disallowed by the division of hearings and appeals has been mailed to the objector, the department shall give notice of such delinquency to the state treasurer secretary of administration and to the objector, in the manner provided in sub. (3). The state treasurer secretary of administration shall then proceed to collect the amount of the bill as provided in sub. (3). If an amended bill is not paid within 10 days after a copy thereof is mailed to the objector by registered mail, the department shall notify the state treasurer secretary of administration and the objector as in the case of
delinquency in the payment of an original bill. The state treasurer secretary of administration shall then proceed to collect the amount of the bill as provided in the case of an original bill.

**SECTION 2303.** 195.60 (5) of the statutes is amended to read:

195.60 (5) No suit or proceeding shall be maintained in any court for the purpose of restraining or in any way delaying the collection or payment of any bill rendered under subs. (1) and (2). Every railroad against which a bill is rendered shall pay the amount thereof, and after such payment may in the manner herein provided, at any time within 2 years from the date the payment was made, sue the state in an action at law to recover the amount paid with legal interest thereon from the date of payment, upon the ground that the assessment was excessive, erroneous, unlawful or invalid in whole or in part. If it is finally determined in such action that any part of the bill for which payment was made was excessive, erroneous, unlawful or invalid, the state treasurer shall make a refund to the claimant as directed by the court, which shall be charged to the appropriations to the office department.

**SECTION 2305.** 195.60 (5) of the statutes, as affected by 2003 Wisconsin Act ..., (this act), is amended to read:

195.60 (5) No suit or proceeding shall be maintained in any court for the purpose of restraining or in any way delaying the collection or payment of any bill rendered under subs. (1) and (2). Every railroad against which a bill is rendered shall pay the amount thereof, and after such payment may in the manner herein provided, at any time within 2 years from the date the payment was made, sue the state in an action at law to recover the amount paid with legal interest thereon from the date of payment, upon the ground that the assessment was excessive, erroneous, unlawful, or invalid in whole or in part. If it is finally determined in such action that
any part of the bill for which payment was made was excessive, erroneous, unlawful, or invalid, the state treasurer or secretary of administration shall make a refund to the claimant as directed by the court, which shall be charged to the appropriations to the department.

SECTION 2306. 195.60 (6) of the statutes is amended to read:

195.60 (6) No action for recovery of any amount paid under this section shall be maintained in any court unless objections have been filed with the office of hearings and appeals as provided in this section. In any action for recovery of any payments made under this section the claimant shall be entitled to raise every relevant issue of law, but the office’s findings of fact of the division of hearings and appeals made pursuant to this section shall be prima facie evidence of the facts therein stated.

SECTION 2307. 195.60 (7) (intro.) of the statutes is repealed.

SECTION 2308. 195.60 (7) (a) of the statutes is renumbered 195.60 (7) and amended to read:

195.60 (7) Determinations of fact expressed in bills rendered under this section, and shall be considered to be findings of fact of the division of hearings and appeals, within the meaning of this section.

SECTION 2309. 195.60 (7) (b) of the statutes is repealed.

SECTION 2310. 196.199 (3) (d) of the statutes is amended to read:

196.199 (3) (d) If, at any time during a proceeding under this subsection, the commission determines, after notice and reasonable opportunity to be heard, that a person has made a filing in violation of par. (c), the commission shall order the person to pay to any party to the proceeding the amount of reasonable expenses incurred by that party because of the filing, including reasonable attorney fees, and the
commission may directly assess a forfeiture against the person of not less than $25 nor more than $5,000. A person against whom the commission assesses a forfeiture under this paragraph shall pay the forfeiture to the commission within 10 days after receipt of notice of the assessment or, if the person petitions for judicial review under ch. 227, within 10 days after receipt of the final decision after exhaustion of judicial review. The commission shall remit all forfeitures paid under this paragraph to the state treasurer or secretary of administration for deposit in the school fund. The attorney general may bring an action in the name of the state to collect any forfeiture assessed by the commission under this paragraph that has not been paid as provided in this paragraph. The only contestable issue in such an action is whether or not the forfeiture has been paid.

**SECTION 2311.** 196.218 (3) (a) 3. b. of the statutes is amended to read:

196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), 20.275 (4) and (4) (s), (t), and (tm) and 20.285 (1) (q).

**SECTION 2312.** 196.218 (4t) of the statutes is amended to read:

196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The commission, in consultation with the department of administration and the technology for educational achievement in Wisconsin board department of public instruction, shall promulgate rules specifying the telecommunications services eligible for funding through the educational telecommunications access program under s. 44.73 115.9995.

**SECTION 2313.** 196.218 (5) (a) 5. of the statutes is amended to read:

196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 to the extent that these costs are not paid under s. 44.73 115.9995 (2) (d), except that no moneys in the universal service fund may be used to pay installation costs that are
necessary for a political subdivision to obtain access to bandwidth under a shared
service agreement under s. 44.73 115.9995 (2r) (a).

SECTION 2314. 196.218 (5) (a) 5. of the statutes, as affected by 2003 Wisconsin
Act .... (this act), is amended to read:

196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 16.971
(13) to (16) to the extent that these costs are not paid under s. 115.9995 (2) (d), except
that no moneys in the universal service fund may be used to pay installation costs
that are necessary for a political subdivision to obtain access to bandwidth under a
shared service agreement under s. 115.9995 (2r) (a).

SECTION 2315. 196.218 (5) (a) 6. of the statutes is amended to read:

196.218 (5) (a) 6. To pay the department of electronic government
administration for telecommunications services provided under s. 22.05 16.972 (1)
to the campuses of the University of Wisconsin System at River Falls, Stout, Superior
and Whitewater.

SECTION 2316. 196.218 (5) (a) 7. of the statutes is amended to read:

196.218 (5) (a) 7. To make grants awarded by the technology for educational
achievement in Wisconsin board department of public instruction to school districts
and private schools under s. 44.73 115.9995 (6). This subdivision does not apply after

SECTION 2317. 196.218 (5) (a) 10. of the statutes is repealed.

SECTION 2318. 196.491 (2) (e) of the statutes is amended to read:

196.491 (2) (e) Any state agency, as defined in s. 16.375 560.9810 (1), county,
municipality, town or person may submit written comments to the commission on a
strategic energy assessment within 90 days after copies of the draft are issued under
par. (b).
SECTION 2319. 196.675 (1) of the statutes is renumbered 196.675 (1r).

SECTION 2320. 196.675 (1g) of the statutes is created to read:

196.675 (1g) In this section, “assistant district attorney” includes an assignable prosecutor, as defined in s. 978.001 (1c).

SECTION 2321. 196.85 (3) of the statutes is amended to read:

196.85 (3) If any public utility, sewerage system, joint local water authority, or power district is billed under sub. (1), (2), or (2e) and fails to pay the bill within 30 days or fails to file objections to the bill with the commission, as provided in this subsection, the commission shall transmit to the state treasurer, secretary of administration a certified copy of the bill, together with notice of failure to pay the bill, and on the same day the commission shall mail by registered mail to the public utility, sewerage system, joint local water authority, or power district a copy of the notice that it has transmitted to the state treasurer. Within 10 days after receipt of the notice and certified copy of the bill, the state treasurer, secretary of administration shall levy the amount stated on the bill to be due, with interest, by distress and sale of any property, including stocks, securities, bank accounts, evidences of debt, and accounts receivable belonging to the delinquent public utility, sewerage system, joint local water authority, or power district. The levy by distress and sale shall be governed by s. 74.10, 1985 stats., except that it shall be made by the state treasurer, secretary of administration and that goods and chattels anywhere within the state may be levied upon.

SECTION 2322. 196.85 (4) (d) of the statutes is amended to read:

196.85 (4) (d) If any bill against which objections have been filed is not paid within 10 days after notice of a finding that the objections have been overruled and disallowed by the commission has been mailed to the objector as provided in this
subsection, the commission shall give notice of the delinquency to the state treasurer, secretary of administration and to the objector, in the manner provided in sub. (3). The state treasurer, secretary of administration shall then proceed to collect the amount of the delinquent bill as provided in sub. (3). If an amended bill is not paid within 10 days after a copy of the amended bill is mailed to the objector by registered mail, the commission shall notify the state treasurer, secretary of administration and the objector as in the case of delinquency in the payment of an original bill. The state treasurer, secretary of administration shall then proceed to collect the amount of the amended bill as provided in the case of an original bill.

**SECTION 2323.** 196.85 (5) of the statutes is amended to read:

196.85 (5) No suit or proceeding may be maintained in any court to restrain or delay the collection or payment of any bill rendered under sub. (1), (2), or (2e). Every public utility, sewerage system, joint local water authority, or power district that is billed shall pay the amount of the bill, and after payment may in the manner provided under this section, at any time within 2 years from the date the payment was made, sue the state to recover the amount paid plus interest from the date of payment, upon the ground that the assessment was excessive, erroneous, unlawful, or invalid in whole or in part. If the court finds that any part of the bill for which payment was made was excessive, erroneous, unlawful, or invalid, the state treasurer, secretary of administration shall make a refund to the claimant as directed by the court. The refund shall be charged to the appropriations to the commission.

**SECTION 2324.** 196.858 (1) and (2) of the statutes are amended to read:

196.858 (1) The commission shall annually assess against local exchange and interexchange telecommunications utilities the total, not to exceed $5,000,000, of the amounts appropriated under s. 20.530 20.505 (1) (ir).
(2) The commission shall assess a sum equal to the annual total amount under sub. (1) to local exchange and interexchange telecommunications utilities in proportion to their gross operating revenues during the last calendar year. If total expenditures for telephone relay service exceeded the payment made under this section in the prior year, the commission shall charge the remainder to assessed telecommunications utilities in proportion to their gross operating revenues during the last calendar year. A telecommunications utility shall pay the assessment within 30 days after the bill has been mailed to the assessed telecommunication utility. The bill constitutes notice of the assessment and demand of payment. Payments shall be credited to the appropriation account under s. 20.530 20.505 (1) (ir).

SECTION 2325. 197.10 (4) of the statutes is amended to read:

197.10 (4) Insofar as the use, operation, service, management, control, sale, lease, purchase, extension, improvement, rates, value or earnings of the properties of the public utility or provisions looking toward the ultimate acquisition of the same are made subject to the terms of any contract provided for in sub. (1), and so long as said contract remains in force, the following sections of the statutes shall be inapplicable to the same: ss. 195.05, 195.10, 196.02 (1) and (2), 196.05, 196.09, 196.10, 196.11, 196.15, 196.16, 196.19 (6), 196.20, 196.21, 196.22, 196.26, 196.28, 196.30, 196.37, 196.39, 196.40, 196.58, 196.70, 197.01 (2) to (4), 197.02, 197.03, 197.04, 197.05, 197.06, 197.08 and 197.09; provided that nothing in any contract made hereunder shall operate to prevent an appeal to the public service commission by any person, other than a party to said contract, upon any complaint alleging that any rate, fare, charge or classification, or any joint rate, or any regulation, act or practice relating to the production, transmission, delivery or furnishing of gas, heat, light or power, or any service in connection therewith, is unjustly discriminatory, or
that any such service is inadequate or cannot be obtained. Upon said appeal the
commission shall, as provided by law, determine and by order fix a rate, fare, charge,
classification, joint rate or regulation, act or practice or service to be imposed,
observed or followed in the future in lieu of that found to be unjustly discriminatory
or inadequate.

SECTION 2326. 201.01 (1) of the statutes is amended to read:

201.01 (1) “Commission” means the office of the commissioner of railroads in
the case of railroads and the public service commission in the case of other public
service corporations.

SECTION 2327. 201.01 (2) of the statutes is amended to read:

201.01 (2) “Public service corporation” means and embraces every corporation,
except municipalities and other political subdivisions, which is a public utility as
defined in s. 196.01, and every corporation which is a railroad as defined in s. 195.02,
but shall not include a public utility corporation receiving an annual gross revenue
of less than $1,000 for the calendar year next preceding the issuance of any securities
by it. “Public service corporation” includes a holding company, as defined under s.
196.795 (1) (h), which is a public utility, as defined under s. 196.01 (5). “Public service
corporation” does not include a telecommunications utility, as defined in s. 196.01
(10). “Public service corporation” does not include any other holding company unless
the holding company was formed after November 28, 1985, and unless the
commission has determined, under s. 196.795 (7) (a), that each nonutility affiliate,
as defined under s. 196.795 (1) (j), does not and cannot reasonably be expected to do
at least one of the items specified in s. 196.795 (7) (a). “Public service corporation”
does not include a company, as defined in s. 196.795 (1) (f), which owns, operates,
manages or controls a telecommunications utility, as defined in s. 196.01 (10), unless
such company also owns, operates, manages or controls a public utility which is not a telecommunications utility. “Public service corporation” does not include a transmission company, as defined in s. 196.485 (1) (ge).

SECTION 2328. 201.10 (3) of the statutes is amended to read:

201.10 (3) Whenever the commission deems it necessary to make an investigation of the books, accounts and practices or to make an appraisal of the property of any public service corporation which has filed an application for authority to issue any securities to which this chapter is applicable, such public service corporation shall pay all expenses reasonably attributable to such special investigation, or to such an appraisal of the property. For the purpose of calculating investigative and appraisal expenses of the commission, 90% of the costs determined shall be costs of the commission and 10% of the costs determined shall be costs of state government operations. The procedure set up by s. 195.60 or 196.85, whichever is appropriate, for the rendering and collection of bills shall be in all ways applicable to the rendering and collection of bills under this section. Ninety percent of the amounts paid to the public service commission under authority of this subsection shall be credited to the appropriation account under s. 20.155 (1) (g).

SECTION 2329. 201.13 of the statutes is amended to read:

201.13 Stock. Subject to the regulatory jurisdiction of the commission under this chapter and to all other applicable provisions of law relating to railroad or other special types of corporations, all classes and series of stock of a public service corporation shall be governed by the provisions of ch. 180.

SECTION 2330. 214.01 (1) (im) of the statutes is amended to read:

214.01 (1) (im) “Division” means the division of savings institutions banking.

SECTION 2331. 214.01 (1) (sr) of the statutes is amended to read:
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214.01 (1) (sr) “Review board” means the savings bank institutions review board.

SECTION 2332. 214.592 of the statutes is amended to read:

214.592 Financially related services tie-ins. In any transaction conducted by a savings bank, a savings bank holding company, or a subsidiary of either with a customer who is also a customer of any other subsidiary of any of them, the customer shall be given a notice in 12-point boldface type in substantially the following form:

NOTICE OF RELATIONSHIP

This company, .... (insert name and address of savings bank, savings bank holding company, or subsidiary), is related to .... (insert name and address of savings bank, savings bank holding company, or subsidiary) of which you are also a customer. You may not be compelled to buy any product or service from either of the above companies or any other related company in order to participate in this transaction. If you feel that you have been compelled to buy any product or service from either of the above companies or any other related company in order to participate in this transaction, you should contact the management of either of the above companies at either of the above addresses or the division of savings institutions banking at .... (insert address).

SECTION 2333. 214.72 (1) (b) of the statutes is amended to read:

214.72 (1) (b) “Financial regulator” means the department secretary and deputy secretary, and an administrator, a supervisor of data processing, legal counsel and a financial institution examiner employed by the department and the department’s legal counsel and includes any member of a financial regulator’s immediate family, as defined in s. 19.42 (7).
SECTION 2334. 215.01 (6) of the statutes is amended to read:

215.01 (6) “Division” means the division of savings institutions banking.

SECTION 2335. 215.01 (22) of the statutes is amended to read:

215.01 (22) “Review board” means the savings and loan institutions review board.

SECTION 2336. 215.02 (title) of the statutes is repealed and recreated to read:

215.02 (title) Powers of the division.

SECTION 2337. 215.02 (10) (a) 3. of the statutes is amended to read:

215.02 (10) (a) 3. An order of removal takes effect on the date issued. A copy of the order shall be served upon the association and upon the officer, director, or employee in the manner provided by law for service of a summons in a court of record or by mailing a copy to the association and officer, director, or employee at their last-known, post-office addresses. Any removal under this subsection has the same effect as if made by the board of directors or the members or stockholders of the association. An officer, director, or employee removed from office or employment under this subsection may not be elected as an officer or director of, or be employed by, an association without the approval of the division and the review board. An order of removal under this subsection is a final order or determination of the review board under s. 215.04 (6) (5).

SECTION 2338. 215.04 of the statutes is repealed and recreated to read:

215.04 Review board. (1) Duties. The review board shall do all of the following:

(a) Advise the division on matters related to this chapter.

(b) Review the acts, orders, and determinations of the division.
(c) Act on any matters pertaining to this chapter that are submitted to it by the division.

(d) Perform other review functions relating to this chapter.

(e) Conduct hearings and take testimony, and subpoena and swear witnesses at such hearings. The review board shall have the subpoena powers under s. 885.01 (4).

(2) APPEARANCES. An interested party may appear at a proceeding of the review board and may participate in the examination of witnesses and present evidence.

(3) WITNESS FEES. A person who causes a witness to be subpoenaed shall advance the fees and mileage expense of the witness. Witness fees shall be the same as fees under s. 814.67 (1) (b) and (c). The fees of witnesses who are called by the review board in the interests of the state shall be paid by the state upon presentation of proper vouchers approved by the chairperson of the review board and charged to the appropriation under s. 20.144 (1) (g).

(4) REVIEW OF ACTS, ORDERS, OR DETERMINATIONS. Any interested person or a savings association aggrieved by any act, order, or determination of the division, which relates to savings and loan associations, may, within 20 days after receipt or service of a copy of the act, order, or determination, file a written notice requesting the review board’s review of the division’s act, order, or determination. The review of the division’s decision shall be solely to determine if the division acted within the scope of the division’s authority and did not act in an arbitrary or capricious manner and to determine if the act, order, or determination of the division is supported by substantial evidence in view of the entire record as submitted. The review of applications for new charters, branch offices, or relocation of offices shall be based exclusively on the record and new evidence may not be taken by the review board.
Requests for review under this subsection shall be considered and disposed of as speedily as possible.

(5) REVIEW. A determination of the review board is subject to review under ch. 227. If an act, order, or determination of the division is reversed or modified by the review board, the division shall be considered to be a person aggrieved and directly affected by the decision under s. 227.53 (1).

(6) BOARD MEMBER NOT TO ACT. A member of the review board may not act on any matter involving a savings and loan association or savings and loan holding company of which the member is an officer, director, employee, or agent.

Section 2339. 215.141 of the statutes is amended to read:

215.141 Financially related services tie-ins. In any transaction conducted by an association, a savings and loan holding company, or a subsidiary of either with a customer who is also a customer of any other subsidiary of any of them, the customer shall be given a notice in 12-point boldface type in substantially the following form:

NOTICE OF RELATIONSHIP

This company, ..... (insert name and address of association, savings and loan holding company, or subsidiary), is related to ..... (insert name and address of association, savings and loan holding company, or subsidiary) of which you are also a customer. You may not be compelled to buy any product or service from either of the above companies or any other related company in order to participate in this transaction.

If you feel that you have been compelled to buy any product or service from either of the above companies or any other related company in order to participate in this transaction, you should contact the management of either of the above
companies at either of the above addresses or the division of savings institutions
banking at .... (insert address).

**SECTION 2340.** 215.32 (3) of the statutes is amended to read:

215.32 (3) **EMPLOYMENT OF COUNSEL; RETENTION OF OFFICERS AND EMPLOYEES OF ASSOCIATION.** The division On behalf of the division, the department of administration may employ necessary counsel and the division may employ experts in a liquidation under this section and may retain any officer or employee of the association.

**SECTION 2341.** 215.33 (3) (b) 2. of the statutes is amended to read:

215.33 (3) (b) 2. The accounts of the association are insured by the deposit insurance corporation or any other insurer acceptable to the division, or that adequate and sufficient securities have been deposited with the state treasurer secretary of administration to assure that the association will meet its obligations to the residents of this state.

**SECTION 2342.** 215.40 (18) of the statutes is amended to read:

215.40 (18) **APPEAL BY APPLICANTS AFTER BEING DENIED CERTIFICATE OF AUTHORITY.** If the division refuses to grant a certificate of authority to organize an association, and the applicants feel aggrieved thereby, they may appeal to the review board to review the division’s determination under s. 215.04 (1) (d) (b) and (4).

**SECTION 2343.** 220.02 (2) (e) and (f) of the statutes are created to read:

220.02 (2) (e) Savings banks under ch. 214.

(f) Savings and loan associations under ch. 215.

**SECTION 2344.** 220.02 (3) of the statutes is amended to read:

220.02 (3) It is the intent of sub. (2) to give the division jurisdiction to enforce and carry out all laws relating to banks or banking in this state, including those
relating to state banks, savings banks, savings and loan associations, and trust
company banks, and also all laws relating to small loan companies or other loan
companies or agencies, finance companies, motor vehicle dealers, adjustment service
companies, community currency exchanges, and collection agencies and those
relating to sellers of checks under ch. 217, whether doing business as corporations,
individuals, or otherwise, but to exclude laws relating to credit unions.

SECTION 2345. 220.08 (4) of the statutes is amended to read:

220.08 (4) The division may appoint one or more special deputies, as agent or
agents, to assist the division in the duty of reorganization, consolidation, liquidation
and distribution, the certificate of appointment to be filed with the division and a
certified copy in the office of the clerk of the circuit court for the county in which such
bank or banking corporation is located. Such special deputies may execute,
acknowledge and deliver any and all deeds, assignments, releases or other
instruments necessary and proper to effect any sale and transfer or encumbrance of
real estate or personal property after the same has been approved by the division,
and an order obtained from the circuit court of the county in which the bank
concerned is located. The division may from time to time authorize a special deputy
to perform such duties connected with such reorganization, consolidation,
liquidation and distribution as the division deems proper. The division On behalf of
the division, the department of administration may employ such counsel and the
division may procure such expert assistance and advice as may be necessary in the
reorganization, consolidation, liquidation and distribution of the assets of such
banks or banking corporations. The division may retain such of the officers or
employees of such banks or banking corporations as necessary.

SECTION 2346. 221.0303 (2) of the statutes is amended to read:
221.0303 (2) **Operation and Acquisition of Customer Bank Communications Terminals.** A bank may, directly or indirectly, acquire, place, and operate, or participate in the acquisition, placement, and operation of, at locations other than its main or branch offices, customer bank communications terminals, in accordance with rules established by the division. The rules of the division shall provide that any such customer bank communications terminal shall be available for use, on a nondiscriminatory basis, by any state or national bank and by all customers designated by a bank using the terminal. This subsection does not authorize a bank which has its principal place of business outside this state to conduct banking business in this state. The customer bank communications terminals also shall be available for use, on a nondiscriminatory basis, by any credit union, savings and loan association, or savings bank, if the credit union, savings and loan association, or savings bank requests to share its use, subject to rules jointly established by the division of banking, and the office of credit unions and the division of savings institutions. The division by order may authorize the installation and operation of a customer bank communications terminal in a mobile facility, after notice and hearing upon the proposed service stops of the mobile facility.

**Section 2347.** 221.0320 (3) (a) of the statutes is amended to read:

221.0320 (3) (a) In this subsection, “local governmental unit” has the meaning given in s. 22.01 16.97 (7).

**Section 2348.** 221.0321 (5) of the statutes is amended to read:

221.0321 (5) **Certain Secured Loans.** A bank may make loans secured by assignment or transfer of stock certificates or other evidence of the borrower’s ownership interest in a corporation formed for the cooperative ownership of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a mortgage
involving a one-family residence, apply to a proceeding to enforce the lender’s rights in security given for a loan under this subsection. The division shall promulgate joint rules with the office of credit unions and the division of savings institutions that establish procedures for enforcing a lender’s rights in security given for a loan under this subsection.

**SECTION 2349.** 223.02 (1) (intro.) of the statutes is amended to read:

223.02 (1) **INDEMNITY FUND DEPOSIT.** (intro.) Deposit at least $100,000 with the state treasurer secretary of administration or the state treasurer’s secretary’s agent in accordance with the following provisions:

**SECTION 2350.** 223.02 (1) (b) of the statutes is amended to read:

223.02 (1) (b) The state treasurer secretary of administration or the state treasurer’s secretary’s agent shall pay over to the bank trust company the interest, dividends, or other income on deposit or may authorize the bank trust company to collect the interest, dividends, or other income. The state treasurer secretary of administration shall issue a certificate stating that a deposit has been made with the state treasurer secretary of administration or the state treasurer’s secretary’s agent in the manner provided in this section.

**SECTION 2351.** 223.02 (1) (c) of the statutes is amended to read:

223.02 (1) (c) The state treasurer secretary of administration or the state treasurer’s secretary’s agent shall hold the deposit as security for the faithful execution of any trust which may be lawfully imposed upon and accepted by the trust company bank. The cash or securities shall remain in the possession of the state treasurer secretary of administration or the state treasurer’s secretary’s agent until otherwise ordered by a court of competent jurisdiction, unless released pursuant to par. (d).
SECTION 2352. 223.02 (1) (d) of the statutes is amended to read:

223.02 (1) (d) The securities and cash deposited by a trust company bank may be released by the state treasurer, secretary of administration or the state treasurer’s secretary’s agent and returned to the bank, if the division certifies to the state treasurer, secretary of administration that the bank no longer exercises trust powers and that the division is satisfied that there are no outstanding trust liabilities.

SECTION 2353. 223.02 (1) (e) of the statutes is amended to read:

223.02 (1) (e) The state treasurer, secretary of administration may designate a banking corporation, having an authorized capital of $1,000,000 or more, to act as an agent to hold the cash or securities in safekeeping. The agent shall furnish to the state treasurer, secretary of administration a safekeeping receipt for all cash and securities received by it. The agent shall pay the cash and securities to the state treasurer, secretary of administration on demand without conditions.

SECTION 2354. 223.105 (3) (a) of the statutes is amended to read:

223.105 (3) (a) To assure compliance with such rules as may be established under s. 220.04 (7), the division of banking, and the office of credit unions and the division of savings institutions shall, at least once every 18 months, examine the fiduciary operations of each organization which is under its respective jurisdiction and is subject to examination under sub. (2). If a particular organization subject to examination under sub. (2) is not otherwise under the jurisdiction of one of the foregoing agencies, such examination shall be conducted by the division of banking.

SECTION 2355. 223.105 (4) of the statutes is amended to read:

223.105 (4) NOTICE OF FIDUCIARY OPERATION. Except for those organizations licensed under ch. 221 or this chapter, any organization engaged in fiduciary operations as defined in this section shall, as required by rule, notify the division of
banking, or the office of credit unions or the division of savings institutions of that fact, directing the notice to the agency then exercising regulatory authority over the organization or, if there is none, to the division of banking. Any organization which intends to engage in fiduciary operations shall, prior to engaging in such operations, notify the appropriate agency of this intention. The notifications required under this subsection shall be on forms and contain information required by the rules promulgated by the division of banking.

SECTION 2356. 223.105 (5) of the statutes is amended to read:

223.105 (5) ENFORCEMENT REMEDY. The division of banking or the division of savings institutions or office of credit unions shall, upon the failure of such organization to submit notifications or reports required under this section or otherwise to comply with the provisions of this section, or rules established by the division of banking under s. 220.04 (7), upon due notice, order such defaulting organization to cease and desist from engaging in fiduciary activities and may apply to the appropriate court for enforcement of such order.

SECTION 2357. 223.105 (6) of the statutes is amended to read:

223.105 (6) SUNSET. Except for an organization regulated by the office of credit unions or the division of savings institutions, a savings bank or savings and loan association regulated by the division of banking, or an organization authorized by the division of banking to operate as a bank or trust company under ch. 221 or this chapter, an organization may not begin activity as a fiduciary operation under this section after May 12, 1992. An organization engaged in fiduciary operations under this section on May 12, 1992, may continue to engage in fiduciary operations after that date.

SECTION 2358. 223.20 (3) of the statutes is amended to read:
223.20 (3) SURRENDER OF TRUST POWERS. If a converted trust company bank has been fully discharged of all trusts committed to it, it may, by amendment to its articles of incorporation, duly adopted by its stockholders and approved by the division, surrender its powers to act in a fiduciary capacity. A trust company bank that surrenders its trust powers under this subsection shall eliminate from its corporate name the word “trust,” “trust” and may thereupon withdraw from the state treasurer secretary of administration all securities and cash that it has deposited with the state treasurer secretary of administration pursuant to s. 223.02.

Section 2359. 224.71 (3) (b) 1m. of the statutes is amended to read:

224.71 (3) (b) 1m. A community-based organization, as defined in s. 16.30 560.9801 (1), or a housing authority, as defined in s. 16.30 560.9801 (2).

Section 2360. 224.71 (4) (b) 1m. of the statutes is amended to read:

224.71 (4) (b) 1m. A community-based organization, as defined in s. 16.30 560.9801 (1), or a housing authority, as defined in s. 16.30 560.9801 (2).

Section 2361. 224.77 (1m) (c) of the statutes is amended to read:

224.77 (1m) (c) All forfeitures shall be paid to the division of banking within 10 days after receipt of notice of assessment or, if the forfeiture is contested under par. (b), within 10 days after receipt of the final decision after exhaustion of administrative review. The division of banking shall remit all forfeitures paid to the state treasurer secretary of administration for deposit in the school fund.

Section 2362. 226.025 (3) of the statutes is amended to read:

226.025 (3) The appointment of the department of financial institutions or the designation of a resident agent as attorney for the service of summons, notice, pleadings or process under s. 180.1507 shall be applicable only to actions or proceedings against the foreign corporations described in this section (unless such
corporations have been admitted to this state for purposes other than those mentioned in this section) where the cause of action or proceeding arises out of transactions between such foreign corporations and public utilities operating in this state with which such foreign corporations are affiliated; and to actions or proceedings by or before the public service commission or office of the commissioner of railroads involving the transactions described in sub. (1), or involving the relation between such foreign corporations and public utilities operating in this state with which they are affiliated.

**SECTION 2363.** 227.01 (13) (s) of the statutes is amended to read:

227.01 (13) (s) Prescribes or relates to a uniform system of accounts for any person, including a municipality, that is regulated by the office of the commissioner of railroads or the public service commission.

**SECTION 2364.** 227.01 (13) (zk) of the statutes is repealed.

**SECTION 2365.** 227.01 (13) (zL) of the statutes is created to read:

227.01 (13) (zL) Establishes guidelines under s. 49.147 (3m) (c), (d) 2., (f) 1. or 2. b., or (g) 2. for transitional subsidized private sector jobs under Wisconsin Works.

**SECTION 2366.** 227.01 (13) (zv) of the statutes is created to read:

227.01 (13) (zv) Establishes policies under subch. III of ch. 39.

**SECTION 2367.** 227.03 (7) of the statutes is amended to read:

227.03 (7) Except as provided in s. 230.44 (4) (bm), this chapter does not apply to proceedings before the personnel employment relations commission in matters that are arbitrated in accordance with s. 230.44 (4) (bm).

**SECTION 2368.** 227.10 (3) (e) of the statutes is amended to read:

227.10 (3) (e) Nothing in this subsection prohibits the administrator of the division of merit recruitment and selection in the department of employment
relations administration from promulgating rules relating to expanded certification under s. 230.25 (1n).

**SECTION 2369.** 227.115 (1) (a) and (b) of the statutes are amended to read:

227.115 (1) (a) “Department” means the department of administration commerce.

(b) “State housing strategy plan” means the plan developed under s. 16.31 560.9802.

**SECTION 2370.** 227.115 (3) (a) 5. of the statutes is amended to read:

227.115 (3) (a) 5. Housing costs, as defined in s. 16.30 560.9801 (3) (a) and (b).

**SECTION 2371.** 227.43 (1) (bk) of the statutes is created to read:

227.43 (1) (bk) Assign a hearing examiner to preside over any hearing or review under ss. 26.20 (3) and (10), 84.05, 88.66 (2), 88.87 (4), 88.88 (2), 190.02 (6), 190.16 (4) and (5), 192.324, 192.34, 192.52, 192.56, 195.28 (1), 195.285 (1), 195.29 (10), 195.295, 195.30 (1), 195.305, 195.31, 195.32, 195.325, and 195.60.

**SECTION 2372.** 227.43 (4) (b) of the statutes is amended to read:

227.43 (4) (b) The department of transportation shall pay all costs of the services of a hearing examiner assigned under sub. (1) (bg) or (bk) or assigned to the department under sub. (1) (br), according to the fees set under sub. (3) (b).

**SECTION 2373.** 227.44 (2s) of the statutes is repealed.

**SECTION 2374.** 227.46 (2m) of the statutes is amended to read:

227.46 (2m) In any hearing or review assigned to a hearing examiner under s. 227.43 (1) (bg) or (bk), the hearing examiner presiding at the hearing shall prepare a proposed decision, including findings of fact, conclusions of law, order and opinion, in a form that may be adopted as the final decision in the case. The proposed decision shall be a part of the record and shall be served by the division of hearings and
appeals in the department of administration on all parties. Each party adversely affected by the proposed decision shall be given an opportunity to file objections to the proposed decision within 15 days, briefly stating the reasons and authorities for each objection, and to argue with respect to them before the administrator of the division of hearings and appeals. The administrator of the division of hearings and appeals may direct whether such argument shall be written or oral. If the decision of the administrator of the division of hearings and appeals varies in any respect from the decision of the hearing examiner, the decision of the administrator of the division of hearings and appeals shall include an explanation of the basis for each variance. The decision of the administrator of the division of hearings and appeals is a final decision of the agency subject to judicial review under s. 227.52. The department of transportation may petition for judicial review.

SECTION 2375. 227.46 (3) (intro.) of the statutes is amended to read:

227.46 (3) (intro.) With respect to contested cases except a hearing or review assigned to a hearing examiner under s. 227.43 (1) (bg) or (bk), an agency may by rule or in a particular case may by order:

SECTION 2376. 227.47 (2) of the statutes is amended to read:

227.47 (2) Except as otherwise provided in this subsection, a proposed or final decision of the personnel employment relations commission, hearing examiner or arbitrator concerning an appeal of the decision of the secretary of employment relations made under s. 230.09 (2) (a) or (d) shall not be accompanied by findings of fact or conclusions of law. If within 30 days after the commission issues a decision in such an appeal either party files a petition for judicial review of the decision under s. 227.53 and files a written notice with the commission that the party has filed such a petition, the commission shall issue written findings of fact and conclusions of law
within 90 days after receipt of the notice. The court shall stay the proceedings pending receipt of the findings and conclusions.

**SECTION 2377.** 227.47 (2) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

> 227.47 (2) Except as otherwise provided in this subsection, a proposed or final decision of the employment relations commission, hearing examiner or arbitrator concerning an appeal of the decision of the secretary of employment relations administration made under s. 230.09 (2) (a) or (d) shall not be accompanied by findings of fact or conclusions of law. If within 30 days after the commission issues a decision in such an appeal either party files a petition for judicial review of the decision under s. 227.53 and files a written notice with the commission that the party has filed such a petition, the commission shall issue written findings of fact and conclusions of law within 90 days after receipt of the notice. The court shall stay the proceedings pending receipt of the findings and conclusions.

**SECTION 2378.** 227.52 (3) of the statutes is amended to read:

> 227.52 (3) Those decisions of the division of banking that are subject to review, prior to any judicial review, by the banking review board, and decisions of the division of banking relating to savings banks or savings and loan associations, but no other institutions subject to the jurisdiction of the division of banking.

**SECTION 2379.** 227.52 (5) of the statutes is repealed.

**SECTION 2380.** 227.53 (1) (a) 1. of the statutes is amended to read:

> 227.53 (1) (a) 1. Proceedings for review shall be instituted by serving a petition therefor personally or by certified mail upon the agency or one of its officials, and filing the petition in the office of the clerk of the circuit court for the county where the judicial review proceedings are to be held. If the agency whose decision is sought
to be reviewed is the **office of the commissioner of tax appeals commission**, the banking review board, the credit union review board, or the savings and loan institutions review board or the savings bank review board, the petition shall be served upon both the agency whose decision is sought to be reviewed and the corresponding named respondent, as specified under par. (b) 1. to 5. 4.

**SECTION 2381.** 227.53 (1) (b) 1. of the statutes is amended to read:

227.53 (1) (b) 1. The **office of the commissioner of tax appeals commission**, the department of revenue.

**SECTION 2382.** 227.53 (1) (b) 4. of the statutes is amended to read:

227.53 (1) (b) 4. The **savings and loan institutions** review board, the division of savings institutions **banking**, except if the petitioner is the division of savings institutions **banking**, the prevailing parties before the savings and loan institutions review board shall be the named respondents.

**SECTION 2383.** 227.53 (1) (b) 5. of the statutes is repealed.

**SECTION 2384.** 227.53 (1) (d) of the statutes is amended to read:

227.53 (1) (d) Except in the case of the **office of the commissioner of tax appeals commission**, the banking review board, the credit union review board, and the savings and loan institutions review board and the savings bank review board, the agency and all parties to the proceeding before it, shall have the right to participate in the proceedings for review. The court may permit other interested persons to intervene. Any person petitioning the court to intervene shall serve a copy of the petition on each party who appeared before the agency and any additional parties to the judicial review at least 5 days prior to the date set for hearing on the petition.

**SECTION 2385.** 230.03 (8) of the statutes is amended to read:
SE bastard 230.03 (8) “Commission” means the employment relations commission.

SECTION 2386. 230.03 (9) of the statutes is amended to read:

230.03 (9) “Department” means the department of employment relations administration.

SECTION 2387. 230.03 (10e) of the statutes is created to read:

230.03 (10e) “Division of equal rights” means the division of equal rights in the department of workforce development.

SECTION 2388. 230.04 (1) of the statutes is amended to read:

230.04 (1) The secretary is charged with the effective administration of this chapter. All powers and duties, necessary to that end, which are not exclusively vested by statute in the commission, the division of equal rights, the administrator or appointing authorities, are reserved to the secretary.

SECTION 2389. 230.04 (1m) of the statutes is amended to read:

230.04 (1m) The secretary may delegate, in writing, any of his or her functions set forth in this chapter to an appointing authority, within prescribed standards if the secretary finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the secretary determines that any agency is not performing such delegated function within prescribed standards, the secretary shall forthwith withdraw such delegated function. Subject to the approval of the joint committee on finance, the secretary may order transferred to the department from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the department
reduced staff or shifted staff to new responsibilities as a result of such delegation.

Any delegatory action taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be appealed to the personnel commission under s. 230.44 (1) (b). The secretary shall be a party in such an appeal.

**SECTION 2390.** 230.04 (7) of the statutes is repealed.

**SECTION 2391.** 230.05 (2) (a) of the statutes is amended to read:

> 230.05 (2) (a) Except as provided under par. (b), the administrator may delegate, in writing, any of his or her functions set forth in this subchapter to an appointing authority, within prescribed standards if the administrator finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the administrator determines that any agency is not performing such delegated function within prescribed standards, the administrator shall withdraw such delegated function. The administrator may order transfer to the division from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the division reduced staff or shifted staff to new responsibilities as a result of such delegation subject to the approval of the joint committee on finance. Any delegatory action taken under this subsection by any appointing authority may be appealed to the personnel commission under s. 230.44 (1) (a). The administrator shall be a party in such appeal.

**SECTION 2392.** 230.08 (2) (e) 1. of the statutes is amended to read:

230.08 (2) (e) 1. Administration — 10 13.

**SECTION 2393.** 230.08 (2) (e) 2. of the statutes is amended to read:
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230.08 (2) (e) 2. Agriculture, trade and consumer protection — 65.

**SECTION 2394.** 230.08 (2) (e) 3. of the statutes is amended to read:

230.08 (2) (e) 3. Commerce — 76.

**SECTION 2395.** 230.08 (2) (e) 3r. of the statutes is repealed.

**SECTION 2396.** 230.08 (2) (e) 4. of the statutes is repealed.

**SECTION 2397.** 230.08 (2) (e) 4f. of the statutes is amended to read:

230.08 (2) (e) 4f. Financial institutions — 43.

**SECTION 2398.** 230.08 (2) (e) 7. of the statutes is amended to read:

230.08 (2) (e) 7. Justice — 43.

**SECTION 2399.** 230.08 (2) (L) 4. of the statutes is repealed.

**SECTION 2400.** 230.08 (2) (sm) of the statutes is created to read:

230.08 (2) (sm) Assignable prosecutors, as defined in s. 978.001 (1c), in the department of administration.

**SECTION 2401.** 230.08 (2) (x) of the statutes is repealed.

**SECTION 2402.** 230.08 (2) (xe) of the statutes is amended to read:

230.08 (2) (xe) The director of Indian gaming in the department of administration, and the attorney in the department of administration, appointed under s. 569.015 (2).

**SECTION 2403.** 230.08 (2) (xt) of the statutes is created to read:

230.08 (2) (xt) A position in the office of the secretary of administration to advise and assist the secretary on matters related to affirmative action, equal employment opportunity, diversity, and other state employment relation matters.

**SECTION 2404.** 230.08 (2) (y) of the statutes is amended to read:

230.08 (2) (y) The director and staff assistant of the federal-state relations office of the department of administration.
SECTION 2405. 230.08 (2) (yr) of the statutes is amended to read:

230.08 (2) (yr) The executive director of the governor’s work–based learning board council.

SECTION 2406. 230.08 (4) (c) of the statutes is amended to read:

230.08 (4) (c) Any proposal of a board, department or commission, as defined in par. (a) and s. 15.01 (5), or of the historical society, for a change in the number of positions enumerated in sub. (2) (e), before being submitted to the legislature, shall first be submitted by the board, department or commission or by the historical society for a separate review by the department of administration and by the secretary. The department of administration’s secretary’s review shall include information on the appropriateness of the proposed change with regard to a board’s, department’s, commission’s or society’s current or proposed internal organizational structure under s. 15.02 (4). The secretary’s review and shall include information on whether the existing classified or existing or proposed unclassified division administrator position involved is or would be assigned to pay range 1–18 or above in schedule 1, or a comparable level, of the compensation plan under s. 230.12. The results of these reviews this review shall be provided by the department of administration and by the secretary to the joint committee on finance and the joint committee on employment relations at the same time that the board’s, department’s, commission’s or society’s proposal is presented to either committee.

SECTION 2407. 230.08 (7) of the statutes is amended to read:

230.08 (7) EXCEPTIONAL EMPLOYMENT SITUATIONS. The administrator secretary shall provide, by rule, for exceptional methods and kinds of employment to meet the needs of the service during periods of disaster or national emergency, and for other
exceptional employment situations such as to employ the mentally disabled, the physically disabled and the disadvantaged.

**SECTION 2408.** 230.09 (2) (g) of the statutes is amended to read:

230.09 (2) (g) When filling a new or vacant position, if the secretary determines that the classification for a position is different than that provided for by the legislature as established by law or in budget determinations, or as authorized by the joint committee on finance under s. 13.10, or as specified by the governor creating positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and Clinics Board creating positions under s. 16.505 (2n) or the board of regents of the University of Wisconsin System creating positions under s. 16.505 (2m), or is different than that of the previous incumbent, the secretary shall notify the administrator and the secretary of administration. The administrator shall withhold action on the selection and certification process for filling the position. The secretary of administration shall review the position to determine that sufficient funds exist for the position and that the duties and responsibilities of the proposed position reflect the intent of the legislature as established by law or in budget determinations, the intent of the joint committee on finance acting under s. 13.10, the intent of the governor creating positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and Clinics Board creating positions under s. 16.505 (2n) or the intent of the board of regents of the University of Wisconsin System creating positions under s. 16.505 (2m). The administrator may not proceed with the selection and certification process until the secretary of administration has authorized the position to be filled.

**SECTION 2409.** 230.12 (7m) of the statutes is amended to read:
230.12 (7m) Pay adjustment filing requirements. Except as provided in the rules of the secretary and in the compensation plan, pay increases shall be made only on the dates prescribed under sub. (8). Appointing authorities shall at such times each year as specified by the secretary file with the secretary and with the department of administration a list of employees showing their then existing pay rates and their proposed new pay rates.

**SECTION 2410.** 230.14 (4) of the statutes is amended to read:

230.14 (4) The administrator may charge an agency a fee to announce any vacancy to be filled in a classified or unclassified position in that agency. Funds received under this subsection shall be credited to the appropriation account under s. 20.512 (1) (ka) 20.505 (1) (kp).

**SECTION 2411.** 230.143 (3) of the statutes is repealed.

**SECTION 2412.** 230.147 (3) of the statutes is amended to read:

230.147 (3) Notwithstanding subs. (1) and (2), the state fair park board shall make every reasonable effort to employ in permanent full-time equivalent positions persons who, at the time determined under sub. (4), receive aid under s. 49.19 or benefits under s. 49.147 (3) to (5). The state fair park board shall consult with the department of employment relations to assure that its efforts under this subsection comply with ch. 230.

**SECTION 2413.** 230.215 (3) (a) of the statutes is amended to read:

230.215 (3) (a) An agency may, with the approval of the secretary and with the approval of the secretary of administration under s. 16.50, restructure budgeted permanent positions as such positions become vacant or if an employee voluntarily requests a job-sharing or permanent part-time employment opportunity. No employee occupying a full-time permanent position may be involuntarily
terminated, demoted, transferred or reassigned in order to restructure that position for permanent part-time employment and no such employee may be required to accept a permanent part-time position as a condition of continued employment.

**SECTION 2414.** 230.34 (1) (a) of the statutes is renumbered 230.34 (1) (ah).

**SECTION 2415.** 230.34 (1) (ac) of the statutes is created to read:

230.34 (1) (ac) In this section, “assistant district attorney” includes an assignable prosecutor, as defined in s. 978.001 (1c).

**SECTION 2416.** 230.34 (1) (ar) of the statutes is amended to read:

230.34 (1) (ar) Paragraphs (a) (ah) and (am) apply to all employees with permanent status in class in the classified service and all employees who have served with the state as an assistant district attorney for a continuous period of 12 months or more, except that for employees specified in s. 111.81 (7) (a) in a collective bargaining unit for which a representative is recognized or certified, or for employees specified in s. 111.81 (7) (b) or (c) in a collective bargaining unit for which a representative is certified, if a collective bargaining agreement is in effect covering employees in the collective bargaining unit, the determination of just cause and all aspects of the appeal procedure shall be governed by the provisions of the collective bargaining agreement.

**SECTION 2417.** 230.44 (1) (c) of the statutes is amended to read:

230.44 (1) (c) *Demotion, layoff, suspension or discharge. If an employee has permanent status in class, or an employee has served with the state as an assistant district attorney for a continuous period of 12 months or more, the employee described in s. 230.34 (1) (ah) may appeal a demotion, layoff, suspension, discharge or reduction in base pay to the commission, if the appeal alleges that the decision was not based on just cause.*
SECTION 2418. 230.45 (title) of the statutes is amended to read:

230.45 (title) **Powers and duties of personnel commission and division of equal rights.**

SECTION 2419. 230.45 (1) (b) of the statutes is repealed.

SECTION 2420. 230.45 (1) (e) of the statutes is amended to read:

230.45 (1) (e) Hear appeals, when authorized under county merit system rules under s. 49.33, 49.78 (4), from any interested party.

SECTION 2421. 230.45 (1) (g) of the statutes is repealed.

SECTION 2422. 230.45 (1) (gm) of the statutes is repealed.

SECTION 2423. 230.45 (1) (j) of the statutes is repealed.

SECTION 2424. 230.45 (1) (k) of the statutes is repealed.

SECTION 2425. 230.45 (1) (L) of the statutes is repealed.

SECTION 2426. 230.45 (1) (m) of the statutes is repealed.

SECTION 2427. 230.45 (1e) of the statutes is created to read:

230.45 (1e) The division of equal rights shall:

(a) Receive and process complaints of discrimination of state employees under s. 111.375. In the course of investigating or otherwise processing such a complaint, the division of equal rights may require that an interview with any state employee, except a management or supervisory employee who is a party to or immediately involved in the subject matter of the complaint, be conducted outside the presence of the appointing authority or any representative or agent thereof unless the employee voluntarily requests that presence. An appointing authority shall permit an employee to be interviewed without loss of pay and to have an employee representative present at the interview. An appointing authority of an employee to
be interviewed may require the division of equal rights to give the appointing
authority reasonable notice prior to the interview.

(b) Receive and process complaints of retaliatory disciplinary action under s. 230.85.

(c) Keep minutes of its own proceedings and other official actions relating to
this chapter. All such records shall, subject to reasonable rules, be open to public
inspection. Records of the secretary or the administrator which are confidential shall
be kept confidential by the division of equal rights.

(d) Adopt rules necessary to carry out this section. Notice of the contents of such
rules and amendments thereto shall be given promptly to the secretary, the
administrator, and appointing authorities affected thereby.

Section 2428. 230.81 (1) (b) of the statutes is amended to read:

230.81 (1) (b) After asking the commission division of equal rights which
governmental unit is appropriate to receive the information, disclose the information
in writing only to the governmental unit that the commission division of equal rights
determines is appropriate. The commission division of equal rights may not
designate the department of justice, the courts, the legislature or a service agency
under subch. IV of ch. 13 as an appropriate governmental unit to receive information.
Each appropriate governmental unit shall designate an employee to receive
information under this section.

Section 2429. 230.85 (1) of the statutes is amended to read:

230.85 (1) An employee who believes that a supervisor or appointing authority
has initiated or administered, or threatened to initiate or administer, a retaliatory
action against that employee in violation of s. 230.83 may file a written complaint
with the commission division of equal rights, specifying the nature of the retaliatory
action or threat thereof and requesting relief, within 60 days after the retaliatory
action allegedly occurred or was threatened or after the employee learned of the
retaliatory action or threat thereof, whichever occurs last.

SECTION 2430. 230.85 (2) of the statutes is amended to read:

230.85 (2) The commission division of equal rights shall receive and, except as
provided in s. 230.45 (1m), investigate any complaint under sub. (1). In the course
of investigating or otherwise processing such a complaint, the commission division
of equal rights may require that an interview with any employee described in s.
230.80 (3), except a management or supervisory employee who is a party to or is
immediately involved in the subject matter of the complaint, be conducted outside
the presence of the appointing authority or any representative or agent thereof
unless the employee voluntarily requests that presence. An appointing authority
shall permit an employee to be interviewed without loss of pay and to have an
employee representative present at the interview. An appointing authority of an
employee to be interviewed may require the commission division of equal rights to
give the appointing authority reasonable notice prior to the interview. If the
commission division of equal rights finds probable cause to believe that a retaliatory
action has occurred or was threatened, it may endeavor to remedy the problem
through conference, conciliation or persuasion. If that endeavor is not successful, the
commission division of equal rights shall issue and serve a written notice of hearing,
specifying the nature of the retaliatory action which has occurred or was threatened,
and requiring the person named, in this section called the “respondent”, to answer
the complaint at a hearing. The notice shall specify the place of hearing and a time
of hearing not less than 30 days after service of the complaint upon the respondent
nor less than 10 days after service of the notice of hearing. If, however, the
commission division of equal rights determines that an emergency exists with respect to a complaint, the notice of hearing may specify a time of hearing within 30 days after service of the complaint upon the respondent, but not less than 10 days after service of the notice of hearing. The testimony at the hearing shall be recorded or taken down by a reporter appointed by the commission division of equal rights.

SECTION 2431. 230.85 (3) (a) (intro.) of the statutes is amended to read:

230.85 (3) (a) (intro.) After hearing, the commission division of equal rights shall make written findings and orders. If the commission division of equal rights finds that the respondent engaged in or threatened a retaliatory action, it shall order the employee’s appointing authority to insert a copy of the findings and orders into the employee’s personnel file and, if the respondent is a natural person, order the respondent’s appointing authority to insert such a copy into the respondent’s personnel file. In addition, the commission division of equal rights may take any other appropriate action, including but not limited to the following:

SECTION 2432. 230.85 (3) (a) 4. of the statutes is amended to read:

230.85 (3) (a) 4. Order payment of the employee’s reasonable attorney fees by a governmental unit respondent, or by a governmental unit employing a respondent who is a natural person if that governmental unit received notice and an opportunity to participate in proceedings before the commission division of equal rights.

SECTION 2433. 230.85 (3) (b) of the statutes is amended to read:

230.85 (3) (b) If, after hearing, the commission division of equal rights finds that the respondent did not engage in or threaten a retaliatory action it shall order the complaint dismissed. The commission division of equal rights shall order the employee’s appointing authority to insert a copy of the findings and orders into the employee’s personnel file and, if the respondent is a natural person, order the
respondent’s appointing authority to insert such a copy into the respondent’s personnel file. If the commission division of equal rights finds by unanimous vote that the employee filed a frivolous complaint it may order payment of the respondent’s reasonable actual attorney fees and actual costs. Payment may be assessed against either the employee or the employee’s attorney, or assessed so that the employee and the employee’s attorney each pay a portion. To find a complaint frivolous the commission division of equal rights must find that either s. 814.025 (3) (a) or (b) applies or that both s. 814.025 (3) (a) and (b) apply.

SECTION 2434. 230.85 (3) (c) of the statutes is amended to read:

230.85 (3) (c) Pending final determination by the commission division of equal rights of any complaint under this section, the commission division of equal rights may make interlocutory orders.

SECTION 2435. 230.85 (4) of the statutes is amended to read:

230.85 (4) The commission division of equal rights shall serve a certified copy of the findings and order on the respondent and, if the respondent is a natural person, upon the respondent’s appointing authority.

SECTION 2436. 230.85 (5) (a) of the statutes is amended to read:

230.85 (5) (a) If a respondent does not comply with any lawful order by the commission division of equal rights, for each such failure the respondent shall forfeit a sum of not less than $10 nor more than $100. Every day during which a respondent fails to comply with any order of the commission division of equal rights constitutes a separate violation of that order.

SECTION 2437. 230.85 (5) (b) of the statutes is amended to read:

230.85 (5) (b) As an alternative to par. (a), the commission division of equal rights may enforce an order by a suit in equity.
SECTION 2438. 230.87 (1) of the statutes is amended to read:

230.87 (1) Findings and orders of the commission division of equal rights under this subchapter are subject to judicial review under ch. 227. Upon that review, or in any enforcement action, the department of justice shall represent the commission division of equal rights unless a conflict of interest results from that representation. A court may order payment of a prevailing appellant employee's reasonable attorney fees by a governmental unit respondent, or by a governmental unit employing a respondent who is a natural person if that governmental unit received notice and an opportunity to appear before the court.

SECTION 2439. 230.88 (2) of the statutes is amended to read:

230.88 (2) Effect. (a) A final order issued under s. 230.85 or 230.87 which has not been appealed and for which the time of appeal has passed binds all parties who were subjected to the jurisdiction of the commission division of equal rights or the court and who received an opportunity to be heard. With respect to these parties, the decree is conclusive as to all issues of law and fact decided.

(b) No collective bargaining agreement supersedes the rights of an employee under this subchapter. However, nothing in this subchapter affects any right of an employee to pursue a grievance procedure under a collective bargaining agreement under subch. V of ch. 111, and if the commission division of equal rights determines that a grievance arising under such a collective bargaining agreement involves the same parties and matters as a complaint under s. 230.85, it shall order the arbitrator's final award on the merits conclusive as to the rights of the parties to the complaint, on those matters determined in the arbitration which were at issue and upon which the determination necessarily depended.
(c) No later than 10 days before the specified time of hearing under s. 230.85 (2), an employee shall notify the commission division of equal rights orally or in writing if he or she has commenced or will commence an action in a court of record alleging matters prohibited under s. 230.83 (1). If the employee does not substantially comply with this requirement, the commission division of equal rights may assess against the employee any costs attributable to the failure to notify. Failure to notify the commission division of equal rights does not affect a court’s jurisdiction to proceed with the action. Upon commencement of such an action in a court of record, the commission division of equal rights has no jurisdiction to process a complaint filed under s. 230.85 except to dismiss the complaint and, if appropriate, to assess costs under this paragraph.

**SECTION 2440.** 230.89 of the statutes is amended to read:

> **230.89 Rule making and reporting.** (1) The commission division of equal rights shall promulgate rules to carry out its responsibilities under this subchapter.

> (2) Every 2 years, the commission division of equal rights shall submit a report to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), regarding complaints filed, hearings held and actions taken under this subchapter, including the dollar amount of any monetary settlement or final monetary award which has become binding on the parties.

**SECTION 2441.** 233.10 (3) (c) 4. of the statutes is amended to read:

> 233.10 (3) (c) 4. Grant to the carry-over employee military leave, treatment of military leave, jury service leave and voting leave in accordance with s. 230.35 (3) and (4) (e) and, to the extent applicable, rules of the department of employment relations administration governing such leaves for employees in the classified
service as of the last day of the employee’s employment as a state employee if the employee was entitled to those benefits on that day.

**SECTION 2442.** 233.10 (4) of the statutes is amended to read:

233.10 (4) Notwithstanding the requirement that an employee be a state employee, a carry-over employee of the authority who was employed in a position in the classified service immediately prior to beginning employment with the authority shall, from June 29, 1996, to June 30, 1997, have the same transfer rights under s. 230.29 and the rules of the department of employment relations administration governing transfers as a person who holds a position in the classified service.

**SECTION 2443.** 234.02 (1) of the statutes is amended to read:

234.02 (1) There is created a public body corporate and politic to be known as the “Wisconsin Housing and Economic Development Authority.” The members of the authority shall be the secretary of commerce or his or her designee, the secretary of agriculture, trade and consumer protection or his or her designee, and the secretary of administration or his or her designee, and 6 public members nominated by the governor, and with the advice and consent of the senate appointed, for staggered 4-year terms commencing on the dates their predecessors’ terms expire. In addition, one senator of each party and one representative to the assembly of each party appointed as are the members of standing committees in their respective houses shall serve as members of the authority. A member of the authority shall receive no compensation for services but shall be reimbursed for necessary expenses, including travel expenses, incurred in the discharge of duties. Subject to the bylaws of the authority respecting resignations, each member shall hold office until a successor has been appointed and has qualified. A certificate of appointment or reappointment
of any member shall be filed with the authority and the certificate shall be conclusive
evidence of the due and proper appointment.

SECTION 2444. 234.034 of the statutes is amended to read:

234.034 Consistency with state housing strategy plan. Subject to
agreements with bondholders or noteholders, the authority shall exercise its powers
and perform its duties related to housing consistent with the state housing strategy
plan under s. 16.31 560.9802.

SECTION 2445. 234.06 (1) of the statutes is amended to read:

234.06 (1) The authority may, as authorized in the state housing strategy plan
under s. 16.31 560.9802, use the moneys held in the housing development fund to
make temporary loans to eligible sponsors, with or without interest, and with such
security for repayment, if any, as the authority determines reasonably necessary and
practicable, solely from the housing development fund, to defray development costs
for the construction of proposed housing projects for occupancy by persons and
families of low and moderate income. No temporary loan may be made unless the
authority may reasonably anticipate that satisfactory financing may be obtained by
the eligible sponsor for the permanent financing of the housing project.

SECTION 2446. 234.06 (3) of the statutes is amended to read:

234.06 (3) The authority may, as authorized in the state housing strategy plan
under s. 16.31 560.9802, use the moneys held in the housing development fund to
establish and administer programs of grants to counties, municipalities and eligible
sponsors of housing projects for persons of low and moderate income, to pay
organizational expenses, administrative costs, social services, technical services,
training expenses or costs incurred or expected to be incurred by counties,
municipalities or sponsors for land and building acquisition, construction,
improvements, renewal, rehabilitation, relocation or conservation under a plan to provide housing or related facilities, if the costs are not reimbursable from other private or public loan, grant or mortgage sources.

**SECTION 2447.** 234.165 (2) (b) 2. of the statutes is amended to read:

234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the governor a plan for expending or encumbering the actual surplus reported under subd. 1. The part of the plan related to housing shall be consistent with the state housing strategy plan under s. 16.31 560.9802. The plan submitted under this subdivision may be attached to and submitted as a part of the report filed under subd. 1.

**SECTION 2448.** 234.25 (1) (e) of the statutes is amended to read:

234.25 (1) (e) An evaluation of its progress in implementing within its own housing programs the goals, policies and objectives of the state housing strategy plan under s. 16.31 560.9802, and recommendations for legislation to improve its ability to carry out its programs consistent with the state housing strategy plan.

**SECTION 2449.** 253.06 (4) (c) 2. of the statutes is amended to read:

253.06 (4) (c) 2. If a fine or forfeiture is imposed by a court of record, after a determination by the court of the amount due, the clerk of the court shall collect and transmit such amount to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2.

**SECTION 2450.** 253.06 (5) (e) of the statutes is amended to read:

253.06 (5) (e) The suspension or termination of authorization of a vendor or eligibility of a participant shall be effective beginning on the 15th day after receipt of the notice of suspension or termination. All forfeitures, recoupments, and
enforcement assessments shall be paid to the department within 15 days after
receipt of notice of assessment or, if the forfeiture, recoupment, or enforcement
assessment is contested under sub. (6), within 10 days after receipt of the final
decision after exhaustion of administrative review, unless the final decision is
adverse to the department or unless the final decision is appealed and the decision
is stayed by court order under sub. (7). The department shall remit all forfeitures
paid to the state treasurer secretary of administration for deposit in the school fund.
The department shall deposit all enforcement assessments in the appropriation
under s. 20.435 (1) (gr).

SECTION 2451. 254.45 (4) (b) of the statutes is amended to read:
254.45 (4) (b) The department shall remit all forfeitures paid to the state
treasurer secretary of administration for deposit in the school fund.

SECTION 2452. 254.59 (2) of the statutes is amended to read:
254.59 (2) If a human health hazard is found on private property, the local
health officer shall notify the owner and the occupant of the property, by registered
mail with return receipt requested, of the presence of the human health hazard and
order its abatement or removal within 30 days of receipt of the notice. If the human
health hazard is not abated or removed by that date, the local health officer shall
immediately enter upon the property and abate or remove the human health hazard
or may contract to have the work performed. The human health hazard shall be
abated in a manner which is approved by the local health officer. The cost of the
abatement or removal may be recovered from the person permitting the violation or
may be paid by the municipal treasurer and the account, after being paid by the
treasurer, shall be filed with the municipal clerk, who shall enter the amount
chargeable to the property in the next tax roll in a column headed “For Abatement
of a Nuisance” as a special tax on the lands upon which the human health hazard was
abated, and the tax shall be collected as are other taxes. In case of railroads or other
lands not taxed in the usual way, the amount chargeable shall be certified by the
clerk to the \textit{state treasurer}, \textit{secretary of administration} who shall add the amount
designated in the certificate to the sum due from the company owning, occupying, or
controlling the land specified, and the \textit{state treasurer}, \textit{secretary of administration}
shall collect the amount as prescribed in subch. I of ch. 76 and return the amount
collected to the town, city, or village from which the certificate was received. Anyone
maintaining such a human health hazard may also be fined not more than $300 or
imprisoned for not more than 90 days or both. The only defenses an owner may have
against the collection of a tax under this subsection are that no human health hazard
existed on the owner’s property, that no human health hazard was corrected on the
owner’s property, that the procedure outlined in this subsection was not followed or
any applicable defense under s. 74.33.

\textbf{Section 2453.} 254.59 (5) of the statutes is amended to read:

\begin{verbatim}
254.59 (5) The cost of abatement or removal of a human health hazard under
this section may be at the expense of the municipality and may be collected from the
owner or occupant, or person causing, permitting, or maintaining the human health
hazard, or may be charged against the premises and, upon certification of the local
health officer, assessed as are other special taxes. In cases of railroads or other lands
not taxed in the usual way, the amount chargeable shall be certified by the clerk to
the \textit{state treasurer}, \textit{secretary of administration} who shall add the amount designated
in the certificate to the sum due from the company owning, occupying, or controlling
the land specified, and the \textit{state treasurer}, \textit{secretary of administration} shall collect
the amount as prescribed in subch. I of ch. 76 and return the amount collected to the
\end{verbatim}
town, city, or village from which the certificate was received. Anyone maintaining such a human health hazard may also be fined not more than $300 or imprisoned for not more than 90 days or both. The only defenses an owner may have against the collection of a tax under this subsection are that no human health hazard existed on the owner’s property, that no human health hazard was corrected on the owner’s property, that the procedure outlined in this subsection was not followed, or any applicable defense under s. 74.33.

SECTION 2454. 254.89 of the statutes is renumbered 97.24 (5) and amended to read:

97.24 (5) CERTIFICATION OF GRADE A DAIRY OPERATIONS. The department shall conduct evaluation surveys of grade A dairy operations in this state to the extent necessary to certify to the federal food and drug administration, out-of-state markets, the department of agriculture, trade and consumer protection, the federal public health service, and local health departments, the compliance rating of the grade A dairy operations based upon the sanitation and enforcement requirements of the grade A pasteurized milk ordinance of the federal public health service and its related documents. The department may promulgate rules establishing fees which may be charged to dairy plants to fund these activities.

SECTION 2455. Subchapter VIII (title) of chapter 254 [precedes 254.89] of the statutes is repealed.

SECTION 2456. 255.15 (1) of the statutes is repealed.

SECTION 2457. 255.15 (1m) (intro.) of the statutes is amended to read:

255.15 (1m) DUTIES. (intro.) The board department shall do all of the following:

SECTION 2458. 255.15 (1m) (a) of the statutes is repealed.

SECTION 2459. 255.15 (1m) (c) of the statutes is amended to read:
255.15 (1m) (c) Promulgate rules establishing criteria for recipients of grants awarded under sub. (3), including performance-based standards for grant recipients that propose to use the grant for media efforts. The board department shall ensure that programs or projects conducted under the grants are culturally sensitive.

SECTION 2460. 255.15 (3) (a) (intro.) of the statutes is amended to read:

255.15 (3) (a) (intro.) From the appropriation under s. 20.436 (1) 20.435 (1) (tc), the board department shall distribute the following amounts to or for all of the following:

SECTION 2461. 255.15 (3) (b) (intro.) of the statutes is amended to read:

255.15 (3) (b) (intro.) From the appropriation under s. 20.436 (1) 20.435 (1) (tc), the board department may distribute grants for any of the following:

SECTION 2462. 255.15 (4) of the statutes is amended to read:

255.15 (4) REPORTS. Not later than April 15, 2002, and annually thereafter, the board department shall submit to the governor and to the chief clerk of each house of the legislature for distribution under s. 13.172 (2) a report that evaluates the success of the grant program under sub. (3). The report shall specify the number of grants awarded during the immediately preceding fiscal year and the purpose for which each grant was made. The report shall also specify donations and grants accepted by the board department under sub. (5).

SECTION 2463. 255.15 (5) of the statutes is amended to read:

255.15 (5) FUNDS. The board department may accept for any of its purposes under this section any donations and grants of money, equipment, supplies, materials and services from any person. The board department shall include in the report under sub. (4) any donation or grant accepted by the board department under
this subsection, including the nature, amount and conditions, if any, of the donation
or grant and the identity of the donor.

SECTION 2464. 255.15 (6) of the statutes is amended to read:

255.15 (6) SUBCOMMITTEES COMMITTEES. The board may create subcommittees

5 to assist in its work. If the board department creates subcommittees committees to

6 assist in its work under this section, one of the subcommittees committees shall

7 address the issue of populations most adversely affected by tobacco.

SECTION 2465. 281.36 (1) (cr) of the statutes is amended to read:

281.36 (1) (cr) “State transportation agency” means the department of

10 transportation or the office of the commissioner of railroads.

SECTION 2466. 281.59 (3e) (b) 1. and 3. of the statutes are amended to read:

281.59 (3e) (b) 1. Equal to $90,000,000 $92,400,000 during the 2001−03

2003−05 biennium.

3. Equal to $1,000 for any biennium after the 2001−03 2003−05 biennium.

SECTION 2467. 281.59 (3m) (b) 1. and 2. of the statutes are amended to read:

281.59 (3m) (b) 1. Equal to $9,110,000 $12,000,000 during the 2001−03

2003−05 biennium.

2. Equal to $1,000 for any biennium after the 2001−03 2003−05 biennium.

SECTION 2468. 281.59 (3s) (b) 1. and 2. of the statutes are amended to read:

281.59 (3s) (b) 1. Equal to $10,900,000 $12,800,000 during the 2001−03

2003−05 biennium.

2. Equal to $1,000 for any biennium after the 2001−03 2003−05 biennium.

SECTION 2469. 281.59 (4) (f) of the statutes is amended to read:

281.59 (4) (f) Revenue obligations may be contracted by the building

commission when it reasonably appears to the building commission that all
obligations incurred under this subsection can be fully paid on a timely basis from moneys received or anticipated to be received. Revenue obligations issued under this subsection for the clean water fund program shall not exceed $1,398,355,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

SECTION 2470. 281.65 (10) of the statutes is repealed.

SECTION 2471. 281.99 (4) of the statutes is amended to read:

281.99 (4) All forfeitures shall be paid to the department within 60 days after receipt of the order or according to a schedule agreed to by the department and the water system owner or operator or, if the forfeiture is contested under sub. (3), within 10 days after receipt of the final decision after exhaustion of administrative review, unless the final decision is appealed and the order is stayed by court order. The department shall remit all forfeitures paid to the state treasurer secretary of administration for deposit in the school fund.

SECTION 2472. 283.84 (1) (c) of the statutes is amended to read:

283.84 (1) (c) Reaches an agreement with the department or a local governmental unit, as defined in s. 22.04 16.97 (7), under which the person pays money to the department or local governmental unit and the department or local governmental unit uses the money to reduce water pollution in the project area.

SECTION 2473. 285.69 (3) of the statutes is renumbered 285.69 (3) (a) and amended to read:

285.69 (3) (a) The department may promulgate rules for the payment and collection of fees for inspecting nonresidential asbestos demolition and renovation projects regulated by the department. The fees under this subsection for an inspection may not exceed $210 per $450 if the combined square and linear footage
of friable asbestos-containing material involved in the project is less than 5,000. The fees under this subsection for an inspection may not exceed $750 if the combined square and linear footage of friable asbestos-containing material involved in the project is 5,000 or more. The fees collected under this subsection shall be credited to the appropriation under s. 20.370 (2) (bi) for the direct and indirect costs of conducting inspections of nonresidential asbestos demolition and renovation projects regulated by the department.

SECTION 2474. 285.69 (3) (b) and (c) of the statutes are created to read:

285.69 (3) (b) In addition to the fees under par. (a), the department may charge the costs it incurs for laboratory testing for a nonresidential asbestos demolition and renovation project.

(c) For the purpose of par. (a), combined square and linear footage shall be determined by adding the number of square feet of friable asbestos-containing material on areas other than pipes to the number of linear feet of friable asbestos-containing material on pipes.

SECTION 2475. 289.33 (13) of the statutes is created to read:

289.33 (13) DIVISION OF HEARINGS AND APPEALS. The division of hearings and appeals created under s. 15.103 (1) shall provide staff to assist the board in performing its duties.

SECTION 2476. 292.255 of the statutes is amended to read:

292.255 Report on brownfield efforts. The department of natural resources, and the department of administration and the department of commerce shall submit a report evaluating the effectiveness of this state’s efforts to remedy the contamination of, and to redevelop, brownfields, as defined in s. 560.60 (1v).

SECTION 2477. 292.74 of the statutes is created to read:
292.74 Brownfields grant program. (1) Definitions. In this section:

(a) “Eligible site or facility” means an abandoned, idle, or underused industrial or commercial facility or site the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

(b) “Local governmental unit” means a city, village, town, county, redevelopment authority created under s. 66.1333, community development authority created under s. 66.1335, or housing authority.

(2) Grants. (a) The department shall administer a program to award grants from the appropriation under s. 20.370 (6) (es) for the following purposes:

1. The investigation of an eligible site or facility to determine the existence and extent of environmental contamination of the eligible site or facility.

2. Removing or containing environmental contamination and restoring the environment at an eligible site or facility.

(b) The department may award a grant under this section to an individual, partnership, limited liability company, corporation, nonprofit organization, or local governmental unit.

(c) The department may only award a grant under this section if the person that caused the environmental contamination that is the basis for the grant request is unknown, cannot be located or is financially unable to pay the cost of the eligible activities.

(3) Department duties. (a) The department shall promulgate rules for the program under this section that include all of the following:

1. A competitive scoring system for evaluating grant applications that, for grants under sub. (2) (a) 2., includes consideration of the severity of the risks posed by the contamination, the potential for economic development, the contribution to
remediation of contamination affecting more than one property, and the potential for
the creation of green spaces or the use for public facilities.

2. Provisions specifying the activities that may be covered by grants under this
section.

3. Provisions for ensuring distribution of grant funds throughout the state.

4. Provisions for determining the percentage of costs to be paid through a grant,
which may vary based on the financial circumstances of the applicant.

(b) The department shall inform applicants of other potential sources of
funding for activities proposed in grant applications.

SECTION 2478. 292.75 of the statutes is repealed.

SECTION 2479. 292.77 of the statutes is repealed.

SECTION 2480. 292.79 of the statutes is repealed.

SECTION 2481. 292.94 of the statutes is created to read:

292.94 Fees related to enforcement actions. The department may assess
and collect fees from a person who is subject to an order or other enforcement action
for a violation of s. 292.11 or 292.31 to cover the costs incurred by the department to
review the planning and implementation of any environmental investigation or
environmental cleanup that the person is required to conduct. The department shall
promulgate rules for the assessment and collection of fees under this section. Fees
collected under this section shall be credited to the appropriation account under s.
20.370 (2) (dh).

SECTION 2482. 299.93 (3) of the statutes is amended to read:

299.93 (3) If any deposit is made for an offense to which this section applies,
the person making the deposit shall also deposit a sufficient amount to include the
environmental assessment prescribed in this section. If the deposit is forfeited, the
amount of the environmental assessment shall be transmitted to the state treasurer
secretary of administration under sub. (4). If the deposit is returned, the
environmental assessment shall also be returned.

Section 2483. 299.93 (4) of the statutes is amended to read:

299.93 (4) The clerk of the court shall collect and transmit to the county
treasurer the environmental assessment and other amounts required under s. 59.40
(2) (m). The county treasurer shall then make payment to the state treasurer
secretary of administration as provided in s. 59.25 (3) (f) 2. The state treasurer
secretary of administration shall deposit the amount of the assessment in the
environmental fund.

Section 2484. 301.025 of the statutes is amended to read:

301.025 Division of juvenile corrections. The division of juvenile
corrections shall exercise the powers and perform the duties of the department that
relate to juvenile correctional services and institutions, juvenile offender review,
aftercare, corrective sanctions, the juvenile boot camp program under s. 938.532, the
serious juvenile offender program under s. 938.538, and youth aids.

Section 2485. 301.03 (18) (d) of the statutes is amended to read:

301.03 (18) (d) Compromise or waive all or part of the liability for services
received as the department considers necessary to efficiently administer this
subsection, subject to such conditions as the department considers appropriate. The
sworn statement of the any collection and deportation counsel appointed under s.
301.12 (7), the department’s legal counsel, or the secretary, shall be evidence of the
services provided and the fees charged for those services.

Section 2486. 301.105 (intro.) of the statutes is amended to read:
301.105 **Telephone company commissions.** (intro.) The department shall collect moneys for commissions from telephone companies for contracts to provide telephone services to inmates. The department shall transmit those moneys to the state treasurer secretary of administration. The state treasurer secretary of administration shall do all of the following:

**SECTION 2487.** 301.12 (6) of the statutes is amended to read:

301.12 (6) The sworn statement of the any collection and deportation counsel appointed under sub. (7), of the department's legal counsel, or of the secretary, shall be evidence of the fee and of the care and services received by the resident.

**SECTION 2488.** 301.12 (7) of the statutes is amended to read:

301.12 (7) The department of corrections shall administer and enforce this section. The department On behalf of the department of corrections, the department of administration shall appoint an attorney to be designated “collection and deportation counsel” and,” The department of corrections may appoint other necessary assistants. The department of corrections may delegate to the collection and deportation counsel such other powers and duties as the department considers advisable. The collection and deportation counsel or any of the assistants may administer oaths, take affidavits and testimony, examine public records, subpoena witnesses and the production of books, papers, records, and documents material to any matter of proceeding relating to payments for the cost of maintenance. The department of corrections shall encourage agreements or settlements with the liable person, having due regard to ability to pay and the present needs of lawful dependents.

**SECTION 2489.** 301.16 (1o) (b) of the statutes is amended to read:
301.16 (1o) (b) In the selection of classified service employees of the institution specified in par. (a), the appointing authority shall, whenever possible, use the expanded certification program under rules of the administrator of the division of merit recruitment and selection in the department of employment relations administration to ensure that employees of the institution reflect the general population of either the county in which the institution is located or the most populous county contiguous to the county in which the institution is located, whichever population is greater. The administrator of the division of merit recruitment and selection in the department of employment relations administration shall provide guidelines for the administration of this selection procedure.

Section 2490. 301.16 (1r) of the statutes is amended to read:

301.16 (1r) In addition to the institutions under sub. (1), the department shall establish a medium security correctional institution for persons 15 years of age or over, but not more than 21 years of age, who have been placed in a state prison under s. 302.01. The medium security correctional institution under this subsection shall be known as the Racine Youthful Offender Correctional Facility and shall be located at the intersection of Albert Street and North Memorial Drive in the city of Racine. The department shall limit the number of prisoners who may be placed at the Racine Youthful Offender Correctional Facility to no more than 400 at any one time.

Section 2491. 301.21 (2m) (b) of the statutes is amended to read:

301.21 (2m) (b) While in an institution in another state covered by a contract under this subsection, Wisconsin prisoners are subject to all provisions of law and regulation concerning the confinement of persons in that institution under the laws
of that state, except as otherwise provided for by any contract entered into under this
subsection.

SECTION 2492. 301.26 (4) (d) 2. of the statutes is amended to read:

301.26 (4) (d) 2. Beginning on July 1, 2001 2003, and ending on June 30, 2002
2004, the per person daily cost assessment to counties shall be $167.57 $190 for care
in a Type 1 secured correctional facility, as defined in s. 938.02 (19), $167.57 $190 for
care for juveniles transferred from a juvenile correctional institution under s. 51.35
(3), $213 $225 for care in a residential care center for children and youth, $129 $142
for care in a group home for children, $41 $47 for care in a foster home, $81 $88 for
care in a treatment foster home, $82.56 $88 for departmental corrective sanctions
services, and $21.96 $25 for departmental aftercare services.

SECTION 2493. 301.26 (4) (d) 3. of the statutes is amended to read:

301.26 (4) (d) 3. Beginning on July 1, 2002 2004, and ending on June 30, 2003
2005, the per person daily cost assessment to counties shall be $172.51 $194 for care
in a Type 1 secured correctional facility, as defined in s. 938.02 (19), $172.51 $194 for
care for juveniles transferred from a juvenile correctional institution under s. 51.35
(3), $226 $239 for care in a residential care center for children and youth, $135 $149
for care in a group home for children, $43 $49 for care in a foster home, $85 $92 for
care in a treatment foster home, $84.50 $89 for departmental corrective sanctions
services and $22.66 $26 for departmental aftercare services.

SECTION 2494. 301.26 (7) (intro.) of the statutes is amended to read:

301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the
department shall allocate funds for community youth and family aids for the period
beginning on July 1, 2001 2003, and ending on June 30, 2003 2005, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

SECTION 2495. 301.26 (7) (a) of the statutes is amended to read:

301.26 (7) (a)  For community youth and family aids under this section, amounts not to exceed $43,615,200 $44,145,100 for the last 6 months of 2001, $87,760,300 for 2002 2003, $88,290,200 for 2004, and $44,145,100 for the first 6 months of 2003 2005.

SECTION 2496. 301.26 (7) (b) (intro.) of the statutes is amended to read:

301.26 (7) (b) (intro.)  Of the amounts specified in par. (a), the department shall allocate $2,000,000 for the last 6 months of 2001 2003, $4,000,000 for 2002 2004, and $2,000,000 for the first 6 months of 2003 2005 to counties based on each of the following factors weighted equally:

SECTION 2497. 301.26 (7) (c) of the statutes is amended to read:

301.26 (7) (c)  Of the amounts specified in par. (a), the department shall allocate $523,300 for the last 6 months of 2001 2003, $1,576,600 for 2002 2004, and $1,053,300 for the first 6 months of 2003 2005 to counties based on each of the factors specified in par. (b) 1. to 3. weighted equally, except that no county may receive an allocation under this paragraph that is less than 93% nor more than 115% of the amount that the county would have received under this paragraph if the allocation had been distributed only on the basis of the factor specified in par. (b) 3.

SECTION 2498. 301.26 (7) (e) of the statutes is amended to read:

301.26 (7) (e) For emergencies related to community youth and family aids under this section, amounts not to exceed $125,000 for the last 6 months of 2001 2003, $250,000 for 2002 2004, and $125,000 for the first 6 months of 2003 2005. A
county is eligible for payments under this paragraph only if it has a population of not
more than 45,000.

SECTION 2499. 301.26 (7) (h) of the statutes is amended to read:

301.26 (7) (h) For counties that are participating in the corrective sanctions
program under s. 938.533 (2), $1,062,400 in the last 6 months of 2001 2003,
$2,124,800 in 2002 2004, and $1,062,400 in the first 6 months of 2003 2005 for the
provision of corrective sanctions services for juveniles from that county. In
distributing funds to counties under this paragraph, the department shall determine
a county's distribution by dividing the amount allocated under this paragraph by the
number of slots authorized for the program under s. 938.533 (2) and multiplying the
quotient by the number of slots allocated to that county by agreement between the
department and the county. The department may transfer funds among counties as
necessary to distribute funds based on the number of slots allocated to each county.

SECTION 2500. 301.26 (8) of the statutes is amended to read:

301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
allocations specified in sub. (7) (a), the department shall allocate $666,700 in the last
6 months of 2001 2003, $1,333,400 in 2002 2004, and $666,700 in the first 6 months
of 2003 2005 for alcohol and other drug abuse treatment programs.

SECTION 2501. 302.01 (1) (d) of the statutes is amended to read:

302.01 (1) (d) The correctional institution at Prairie du Chien authorized under
1997 Wisconsin Act 4, section 4 (1) (a) s. 301.16 (1u).

SECTION 2502. 302.045 (title) of the statutes is amended to read:

302.045 (title) Challenge incarceration program for youthful offenders.

SECTION 2503. 302.045 (1) of the statutes is amended to read:
302.045 (1) PROGRAM. The department shall provide a challenge incarceration program for inmates selected to participate under sub. (2). The program shall provide participants with strenuous physical exercise, manual labor, personal development counseling, substance abuse treatment and education, military drill and ceremony and counseling, and strenuous physical exercise, for participants who have not attained the age of 30 as of the date on which they begin participating in the program, or age-appropriate strenuous physical exercise, for all other participants, in preparation for release on parole or extended supervision. The department shall design the program to include not less than 50 participants at a time and so that a participant may complete the program in not more than 180 days. The department may restrict participant privileges as necessary to maintain discipline.

SECTION 2504. 302.045 (2) (b) of the statutes is amended to read:

302.045 (2) (b) The inmate has not attained the age of 30, 40 as of the date the inmate will begin participating in the program.

SECTION 2505. 302.05 (3) of the statutes is created to read:

302.05 (3) (a) In this subsection, “eligible inmate” means an inmate to whom all of the following apply:

1. The inmate is incarcerated regarding a violation other than a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, or 948.095.

2. If the inmate is serving a bifurcated sentence imposed under s. 973.01, the sentencing court decided under par. (e) or s. 973.01 (3g) that the inmate is eligible to participate in the earned release program described in this subsection.
(b) Except as provided in par. (d), if the department determines that an eligible inmate serving a sentence other than one imposed under s. 973.01 has successfully completed the treatment program described in sub. (1), the parole commission shall parole the inmate for that sentence under s. 304.06, regardless of the time the inmate has served. If the parole commission grants parole under this paragraph, it shall require the parolee to participate in an intensive supervision program for drug abusers as a condition of parole.

(c) 1. Except as provided in par. (d), if the department determines that an eligible inmate serving the term of confinement in prison portion of a bifurcated sentence imposed under s. 973.01 has successfully completed the treatment program described in sub. (1), the department shall inform the court that sentenced the inmate.

2. Upon being informed by the department under subd. 1. that an inmate whom the court sentenced under s. 973.01 has successfully completed the treatment program described in sub. (1), the court shall modify the inmate’s bifurcated sentence as follows:

   a. The court shall reduce the term of confinement in prison portion of the inmate’s bifurcated sentence in a manner that provides for the release of the inmate to extended supervision within 30 days of the date on which the court receives the information from the department under subd. 1.

   b. The court shall lengthen the term of extended supervision imposed so that the total length of the bifurcated sentence originally imposed does not change.

(d) The department may place intensive sanctions program participants in the treatment program described in sub. (1), but pars. (b) and (c) do not apply to those participants.
(e) If an inmate is serving the term of confinement portion of a bifurcated sentence imposed under s. 973.01, the sentence was imposed before the effective date of this paragraph ..., [revisor inserts date], and the inmate satisfies the criteria under par. (a) 1., the inmate may, with the department’s approval, petition the sentencing court to determine whether he or she is eligible or ineligible to participate in the earned release program under this subsection during the term of confinement. The inmate shall serve a copy of the petition on the district attorney who prosecuted him or her, and the district attorney may file a written response. The court shall exercise its discretion in granting or denying the inmate’s petition but must do so no later than 90 days after the inmate files the petition. If the court determines under this paragraph that the inmate is eligible to participate in the earned release program, the court shall inform the inmate of the provisions of par. (c).

SECTION 2506. 302.113 (2) of the statutes is amended to read:

302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this section is entitled to release to extended supervision after he or she has served the term of confinement in prison portion of the sentence imposed under s. 973.01, as modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., 302.05 (3) (c) 2. a., or 973.195 (1r), if applicable.

SECTION 2507. 303.066 of the statutes is repealed.

SECTION 2508. 304.06 (1) (b) of the statutes, as affected by 2001 Wisconsin Act 109, is amended to read:

304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s. 302.045 (3), 302.05 (3) (b), 973.01 (6), or 973.0135, the parole commission may parole an inmate of the Wisconsin state prisons or any felon or any person serving at least one year or more in a county house of correction or a county reforestation camp
organized under s. 303.07, when he or she has served 25% of the sentence imposed for the offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c) or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an inmate serving a life term when he or she has served 20 years, as modified by the formula under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable. The person serving the life term shall be given credit for time served prior to sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary may grant special action parole releases under s. 304.02. The department or the parole commission shall not provide any convicted offender or other person sentenced to the department’s custody any parole eligibility or evaluation until the person has been confined at least 60 days following sentencing.

SECTION 2509. 304.073 of the statutes is repealed.

SECTION 2510. 304.074 (1) of the statutes is repealed.

SECTION 2511. 304.074 (4) of the statutes is repealed.

SECTION 2512. 340.01 (7m) of the statutes is amended to read:

340.01 (7m) “Commercial driver license” means a license issued to a person by this state or another jurisdiction which is in accordance with the requirements of the federal commercial motor vehicle safety act of 1986, 49 USC 31301 to 31317, and the federal Motor Carrier Safety Improvement Act of 1999, P.L. 106–159, or by Canada or Mexico, and which authorizes the licensee to operate certain commercial motor vehicles.

SECTION 2513. 340.01 (13m) of the statutes is amended to read:

340.01 (13m) “Disqualification” means the loss or withdrawal of a person’s privilege to operate a commercial motor vehicle relating to certain offenses
committed by the person while driving or operating a motor vehicle or while on duty
time with respect to a commercial motor vehicle.

SECTION 2514. 340.01 (46m) (a) of the statutes is amended to read:

340.01 (46m) (a) If the person has one or no 2 or fewer prior convictions,
suspensions, or revocations, as counted under s. 343.307 (1), an alcohol
concentration of 0.1 0.08 or more.

SECTION 2515. 340.01 (46m) (b) of the statutes is repealed.

SECTION 2516. 341.25 (1) (a) of the statutes is amended to read:

341.25 (1) (a) For each automobile, a fee of $45 $55, except that an automobile
registered in this state prior to September 1, 1947, at a fee of less than $18 shall be
registered at such lesser fee plus an additional fee of $2.

SECTION 2517. 341.43 (2) of the statutes is amended to read:

341.43 (2) Any person feeling aggrieved by a notice under this section of
additional assessment, refund or denial of refund may, within 30 days after the
receipt of the notice, petition the department for a redetermination. A person feeling
aggrieved by a redetermination may appeal to the office of the commissioner of tax
appeals commission in the manner provided for appeals of tax determinations under
s. 73.01 (5). If an appeal of a redetermination is not filed within the time period
provided under s. 73.01 (5), the redetermination is final and conclusive.

SECTION 2518. 342.14 (1) of the statutes is amended to read:

342.14 (1) For filing an application for the first certificate of title, $8.50 $18.50,
by the owner of the vehicle.

SECTION 2519. 342.14 (1r) of the statutes is amended to read:

342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental
impact fee of $9 $10.50, by the person filing the application. All moneys collected
under this subsection shall be credited to the environmental fund for environmental
management. This subsection does not apply after December 31, 2003.

SECTION 2520. 342.14 (3) of the statutes is amended to read:

342.14 (3) For a certificate of title after a transfer, $8.50 $18.50, by the owner
of the vehicle.

SECTION 2521. 343.02 (1) of the statutes is amended to read:

343.02 (1) The department shall administer and enforce this chapter and may
promulgate for that purpose such rules as the secretary considers necessary. Rules
promulgated under this chapter may not conflict with and shall be at least as
stringent as standards set by the federal commercial motor vehicle safety act, 49
USC 31301 to 31317, and the federal Motor Carrier Safety Improvement Act of 1999,
P.L. 106−159, and the regulations adopted under that act those acts.

SECTION 2522. 343.03 (1) (a) of the statutes is amended to read:

343.03 (1) (a) The department shall institute a classified driver license system
meeting all federal standards under 49 USC 31301 to 31317 and 49 CFR 383 and any
other applicable provision of federal law.

SECTION 2523. 343.03 (3) (a) of the statutes is amended to read:

343.03 (3) (a) Regular license. The standard license legend is “regular” or a
readily recognizable abbreviation thereof. The regular license, without any express
endorsements or restrictions as provided in this chapter, authorizes the licensee to
operate only “class D” vehicles as described in s. 343.04 (1) (d), except as otherwise
provided in this subsection. The license may be endorsed to permit operation of Type
1 motorcycles or school buses that are not commercial motor vehicles. A regular
license may be subject to restrictions, including the attachment of a special
restrictions card as provided in s. 343.17 (4).
**SECTION 2524.** 343.03 (3) (e) of the statutes is amended to read:

343.03 (3) (e) *Occupational license.* A license issued under s. 343.10 authorizing only the operation of motor vehicles other than “Class A”, “Class B” or “Class C” vehicles shall be labeled “Occupational License”. Licenses no license may be issued under s. 343.10 authorizing the operation of “Class A”, “Class B” or “Class C” vehicles shall be labeled “CDL-Occupational”. An occupational license may authorize the operation of “Class D” or “Class M” vehicles, or both, but may not be endorsed to permit operation of the vehicle types described in s. 343.04 (2). The license may be subject to restrictions in addition to those provided in s. 343.10, including the attachment of a special restrictions card as provided in s. 343.17 (4).

**SECTION 6m.** 343.03 (5) (title) of the statutes is amended to read:

343.03 (5) (title) *INQUIRIES BEFORE ISSUANCE OR RENEWAL.*

**SECTION 2525.** 343.03 (5) of the statutes is renumbered 343.03 (5) (a) and amended to read:

343.03 (5) (a) Before issuing a or renewing any license under this chapter, the department shall obtain driver record information from the national driver registry and commercial driver license information system to determine whether the applicant holds a commercial driver license, or a license that is revoked, suspended or canceled, or is otherwise disqualified. If the applicant is currently licensed in another state, the department shall obtain information on the applicant’s license status with the state of licensure before issuing a license.

**SECTION 2526.** 343.03 (5) (b) of the statutes is created to read:

343.03 (5) (b) 1. Before issuing or renewing a commercial driver license, the department shall, within the time period specified in 49 CFR 384.232, request from
any other state that has issued an operator’s license or commercial driver license to
the person within the previous 10 years the complete driving record of the person.

2. Subdivision 1. does not apply to a renewal of a person’s commercial driver
license if the department has previously issued a renewal of the commercial driver
license after the effective date of this subdivision .... [revisor inserts date], and, in
connection with the previous renewal, the department recorded on the person’s
driving record under s. 343.23 (2) (a) the date on which the operator’s record check
under subd. 1. was performed.

SECTION 2527. 343.03 (6) of the statutes is renumbered 343.03 (6) (a).

SECTION 2528. 343.03 (6) (b) of the statutes is created to read:

343.03 (6) (b) The department shall, upon request and within 30 days of the
request, provide to the driver licensing agencies of other states the complete driving
record of any person currently or previously licensed by the department.

SECTION 2529. 343.03 (6) (c) of the statutes is created to read:

343.03 (6) (c) 1. The department shall, upon request and within the time period
specified in s. 343.23 (2) (am) 2. and 4., provide the operating record file information
specified in s. 343.23 (2) (am) 2. and 4. to any of the following requesters:

a. The person holding the commercial driver license.

b. The U.S. secretary of transportation.

c. Any employer or prospective employer of the person holding the commercial
driver license, after notice to such person.

d. Any driver licensing agency of another state or law enforcement agency.

e. Any governmental entity having access to the commercial driver license
information system.

f. Any authorized agent of a requester specified in subd. 1. a. to e.
2. The department shall not provide the operating record file information specified in s. 343.23 (2) (am) 2. and 4. to any requester other than those specified in subd. 1.

SECTION 2530. 343.03 (7) (title) of the statutes is amended to read:

343.03 (7) (title)  NOTIFICATION OF COMMERCIAL DRIVER LICENSE ISSUANCE AND CERTAIN VIOLATIONS.

SECTION 2531. 343.03 (7) of the statutes is renumbered 343.03 (7) (a).

SECTION 2532. 343.03 (7) (b) of the statutes is created to read:

343.03 (7) (b)  Within 10 days after the disqualification of the holder of a commercial driver license from operating a commercial motor vehicle for at least 60 days, or after the revocation, suspension, or cancellation of a commercial driver license for at least 60 days, the department shall notify the commercial driver license information system and, if the license was not issued by the department, the state that issued the license of the disqualification, revocation, suspension, or cancellation and the violation that resulted in the disqualification, revocation, suspension, or cancellation.

SECTION 2533. 343.03 (7) (c) of the statutes is created to read:

343.03 (7) (c)  Within 30 days after a conviction of the holder of a commercial driver license issued by another state for violating any state or local law of this state or any law of a federally recognized American Indian tribe or band in this state in conformity with any state law relating to motor vehicle traffic control, other than parking violations, or after a conviction of the holder of an operator’s license issued by another state, other than a commercial driver license, for operating a commercial motor vehicle without a commercial driver license, the department shall notify the driver licensing agency of the state that issued the license of the conviction.
343.03 (7) (c) Within 30 days after a conviction of the holder of a commercial driver license issued by another state for violating any state or local law of this state or any law of a federally recognized American Indian tribe or band in this state in conformity with any state law relating to motor vehicle traffic control, other than parking violations, or after a conviction of the holder of an operator’s license issued by another state, other than a commercial driver license, for operating a commercial motor vehicle without a commercial driver license, the department shall notify the driver licensing agency of the state that issued the license of the conviction.

343.06 (2) The department shall not issue a commercial driver license, including a renewal, occupational, or reinstated license, to any person during any period of disqualification under s. 343.315 or 49 CFR 383.51 or the law of another jurisdiction in substantial conformity therewith, as the result of one or more disqualifying offenses committed on or after July 1, 1987, or to any person whose operator’s license or operating privilege is revoked, suspended, or canceled. Any person who is known to the department to be subject to disqualification as described in s. 343.44 (1) (d) shall be disqualified by the department as provided in s. 343.315.

343.07 (1m) Commercial motor vehicle and school bus instruction permits; issuance, restrictions. (intro.) Upon application therefor by a person at least 18 years of age who holds a valid operator’s license issued under this chapter and who, except for lack of training in the operation of a commercial motor vehicle or school bus, is qualified to obtain authorization for the operation of such vehicle including
having passed the applicable knowledge tests, the department may issue an
instruction permit for commercial motor vehicle or school bus operation or a
combination instruction permit. A permit limited to commercial motor vehicle
instructional operation entitles the permittee to operate only a commercial motor
vehicle other than a school bus upon the highways. A permit limited to school bus
instructional operation entitles the permittee to operate only a school bus that is not
a commercial motor vehicle upon the highways. Both A combination commercial
motor vehicle and school bus instruction permit entitles the permittee to operate a
school bus that is a commercial motor vehicle upon the highways. These permits are
subject to the following restrictions:

SECTION 2537. 343.10 (1) (b) of the statutes is amended to read:

343.10 (1) (b) The application shall be in a form established by the department
and shall identify the specific motor vehicle that the applicant seeks authorization
to operate, including the vehicle classification and any required endorsements. The
application shall include an explanation of why operating the motor vehicle is
essential to the person’s livelihood and identify the person’s occupation or trade. The
application shall identify the applicant’s employer, and include proof of financial
responsibility as specified in s. 343.38 (1) (c) covering the vehicle or vehicles that the
applicant requests authorization to operate. The application shall identify the hours
of operation and routes of travel being requested by the applicant in accord with the
restrictions of sub. (5). The applicant shall certify whether, to the best of personal
knowledge, he or she is disqualified under s. 343.315.

SECTION 2538. 343.10 (1) (d) of the statutes is repealed.

SECTION 2539. 343.10 (1) (e) of the statutes is repealed.

SECTION 2540. 343.10 (1) (f) of the statutes is repealed.
**SECTION 2541.** 343.10 (2) (c) of the statutes is amended to read:

343.10 (2) (c) No occupational license permitting the operation of a commercial motor vehicle may be granted to a person during a period of disqualification under s. 343.315.

**SECTION 2542.** 343.10 (7) (e) of the statutes is amended to read:

343.10 (7) (e) The occupational license issued by the department shall contain the restrictions required by sub. (5). The occupational license authorizes the licensee to operate a motor vehicle only when that operation is an essential part of the licensee’s occupation or trade. If the department determines that the applicant is eligible under sub. (2), the department may impose such conditions and limitations upon the authorization to operate commercial or noncommercial motor vehicles as in the secretary’s judgment are necessary in the interest of public safety and welfare, including reexamination of the person’s qualifications to operate a commercial or noncommercial motor vehicle or a particular type thereof. The department may limit such authorization to include, without limitation, the operation of particular vehicles, particular kinds of operation and particular traffic conditions.

**SECTION 2543.** 343.10 (7) (g) of the statutes is repealed.

**SECTION 2544.** 343.12 (2) (intro.) of the statutes is amended to read:

343.12 (2) (intro.) The department shall issue a school bus endorsement to a person, authorizing operation of a school bus that is not a commercial motor vehicle, only if such person meets all of the following requirements:

**SECTION 2545.** 343.12 (2m) of the statutes is created to read:

343.12 (2m) The department shall issue a school bus endorsement to a person, authorizing operation of a school bus that is a commercial motor vehicle, only if such
person meets all of the requirements specified in sub. (2) and, in addition, meets all of the following requirements:

(a) Holds a valid commercial driver license.

(b) Qualifies for the endorsement under s. 343.17 (3) (d) 3., including passing the knowledge and driving skills tests required for obtaining such an endorsement.

(c) Passes a knowledge test in compliance with the requirements of 49 CFR 383.123 (a) (2).

(d) Passes a driving skills test in compliance with the requirements of 49 CFR 383.123 (a) (3). To the extent that the test specified under sub. (2) (h) and s. 343.16 (1) meets the requirements of 49 CFR 383.123 (a) (3), no additional driving skills test is required.

SECTION 2546. 343.12 (3) of the statutes is amended to read:

343.12 (3) The department may issue a school bus endorsement to a person who is more than 70 years of age, authorizing the operation of a school bus other than a commercial motor vehicle, if the person meets the requirements specified in sub. (2) (c) to (f) and (h) before issuance of the endorsement and annually takes and passes a physical examination prior to issuance or renewal of the endorsement to determine that the person meets the physical standards established under sub. (2) (g).

SECTION 2547. 343.12 (3m) of the statutes is created to read:

343.12 (3m) Notwithstanding sub. (2) (a) and (g), the department may issue a school bus endorsement to a person who is more than 70 years of age, authorizing the operation of a school bus that is a commercial motor vehicle, if the person meets the requirements specified in sub. (2m) (a) to (d), before issuance of the endorsement and annually takes and passes a physical examination prior to issuance or renewal
of the endorsement to determine that the person meets the physical standards established under sub. (2) (g).

SECTION 2548. 343.12 (4) (a) 1. of the statutes is amended to read:

343.12 (4) (a) 1. The person is a nonresident holding a valid commercial driver license with a “P” passenger endorsement and any additional endorsements required by the person’s home jurisdiction for the operation of a school bus, if the school bus is not a commercial motor vehicle, or is a nonresident holding a valid commercial driver license with an “S” endorsement if the school bus is a commercial motor vehicle, and the origin or destination of the trip is in another state.

SECTION 2549. 343.12 (4) (a) 2. of the statutes is repealed.

SECTION 2550. 343.12 (4) (a) 3. of the statutes is amended to read:

343.12 (4) (a) 3. The person is a resident of Iowa, Illinois, Michigan or Minnesota and holds a valid operator’s license authorizing the operation of the type of school bus being operated.

SECTION 2551. 343.12 (4) (b) of the statutes is amended to read:

343.12 (4) (b) The department may, by rule, establish standards for the employment by an employer of a person under par. (a) 3. as an operator of a school bus in this state. The rules may require the person to meet the qualifications contained in sub. (2) or (2m), (3), or (3m) and any rules of the department applicable to residents.

SECTION 2552. 343.17 (3) (b) of the statutes is amended to read:

343.17 (3) (b) The reverse side of the license shall contain an explanation of any restriction codes or endorsement abbreviations used on the front of the license, in sufficient detail to identify the nature of the restrictions or endorsements to a law enforcement officer of this state or another jurisdiction. Except for a commercial
driver license or a license labeled “CDL–Occupational” as described in s. 343.03 (3) (b) and (e), a part of the reverse side of each license shall be printed to serve as a document of gift under s. 157.06 (2) (b) and (c) or a document of refusal to make an anatomical gift under s. 157.06 (2) (i).

SECTION 2553. 343.175 (2) (ag) of the statutes is amended to read:

343.175 (2) (ag) The department shall print a separate document to be issued to all persons issued a commercial driver license or a license labeled “CDL–Occupational” as described in s. 343.03 (3) (b) and (e) and make provisions so that the document may be attached to the reverse side of the license document along one edge. This document shall serve as a document of gift under s. 157.06 (2) (b) and (c) or a document of refusal to make an anatomical gift under s. 157.06 (2) (i).

SECTION 2554. 343.20 (1) (d) of the statutes is amended to read:

343.20 (1) (d) The department shall cancel an operator’s license that is endorsed for the operation of school buses under s. 343.12 (3) or (3m), regardless of the license expiration date, if the licensee fails to provide proof to the department of an annual physical examination determining that the person meets the physical standards established under s. 343.12 (2) (g). The licensee may elect to surrender the license under s. 343.265 (1m).

SECTION 2555. 343.22 (2) (b) of the statutes is amended to read:

343.22 (2) (b) In lieu of applying for a duplicate license or identification card, notify the department in writing of his or her change of address. This paragraph does not apply to persons issued a commercial driver license or a license labeled “CDL–Occupational” as described in s. 343.03 (3) (b) and (e).

SECTION 2556. 343.23 (2) (am) of the statutes is created to read:

343.23 (2) (am) The file specified in par. (a) shall include the following:
1. For a person holding a commercial driver license issued by the department, a record of any disqualification by another state or jurisdiction of the person from operating a commercial motor vehicle for at least 60 days or of the revocation, suspension, or cancellation by another state or jurisdiction of the person's commercial driver license for at least 60 days, and the violation that resulted in the disqualification, revocation, suspension, or cancellation, as specified in any notice received from the state or other jurisdiction in conformity with 49 USC 31311 (a) (8).

2. For a person holding a commercial driver license issued by the department, a record of any violation in another state of any state or local law of that state or any law of a federally recognized American Indian tribe or band in that state in conformity with any state law relating to motor vehicle traffic control, other than a parking violation, as specified in any notice received from the state in conformity with 49 USC 31311 (a) (9). The department shall record this information within 10 days after receipt of the notice. The department may not conceal, withhold, or mask from the department’s file, or otherwise allow in any way a person to avoid the department’s recording in the department’s file of, any information of which the department has notice that is required to be recorded under this subdivision, regardless of whether the person has obtained deferral of imposition of judgment, been allowed to enter a diversion program, or otherwise obtained delayed or suspended judgment or alternative sentencing from a court.

3. For a person holding an operator's license, other than a commercial driver license, issued by the department, a record of any violation in another state or jurisdiction of operating a commercial motor vehicle without a commercial driver license, as specified in any notice received from the state or other jurisdiction in conformity with 49 USC 31311 (a) (9).
4. For a person holding a commercial driver license issued by any state, a record
of each violation, while operating any motor vehicle, of any state or local law of this
state or any law of a federally recognized American Indian tribe or band in this state
in conformity with any state law relating to motor vehicle traffic control, other than
a parking violation. The department shall record the information under this
subdivision within 10 days after the date of conviction.

SECTION 2557. 343.23 (2) (b) of the statutes is amended to read:

343.23 (2) (b) The information specified in par. pars. (a) and (am) must be filed
by the department so that the complete operator's record is available for the use of
the secretary in determining whether operating privileges of such person shall be
suspended, revoked, canceled, or withheld in the interest of public safety. The record
of suspensions, revocations, and convictions that would be counted under s. 343.307
(2) shall be maintained permanently. The record of convictions for disqualifying
offenses under s. 343.315 (2) (h) shall be maintained for at least 10 years. The record
of convictions for disqualifying offenses under s. 343.315 (2) (f) and (j), and all records
specified in par. (am), shall be maintained for at least 3 years. The record of
convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be
maintained permanently, except that 5 years after a licensee transfers residency to
another state such record may be transferred to another state of licensure of the
licensee if that state accepts responsibility for maintaining a permanent record of
convictions for disqualifying offenses. Such reports and records may be cumulative
beyond the period for which a license is granted, but the secretary, in exercising the
power of suspension granted under s. 343.32 (2) may consider only those reports and
records entered during the 4-year period immediately preceding the exercise of such
power of suspension.
**SECTION 2558.** 343.307 (2) (d) of the statutes is amended to read:

343.307 (2) (d) Convictions under the law of another jurisdiction that is in substantial conformity with 49 CFR 383.51 (b) (2) (i) or (ii) or both Table 1, items (1) to (4).

**SECTION 2559.** 343.31 (1) (ar) of the statutes is amended to read:

343.31 (1) (ar) Injury by the operation of a commercial motor vehicle while the person has an alcohol concentration of 0.04 or more but less than 0.1 0.08 and which is criminal under s. 346.63 (6).

**SECTION 2560.** 343.31 (2) of the statutes is amended to read:

343.31 (2) The department shall revoke the operating privilege of any resident upon receiving notice of the conviction of such person in another jurisdiction for an offense therein which, if committed in this state, would have been cause for revocation under this section or for revocation under s. 343.30 (1q). Such offenses shall include violation of any law of another jurisdiction that prohibits use of a motor vehicle while intoxicated or under the influence of a controlled substance or controlled substance analog, or a combination thereof, or with an excess or specified range of alcohol concentration, or under the influence of any drug to a degree that renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction's laws. Upon receiving similar notice with respect to a nonresident, the department shall revoke the privilege of the nonresident to operate a motor vehicle in this state. Such revocation shall not apply to the operation of a commercial motor vehicle by a nonresident who holds a valid commercial driver license issued by another state.

**SECTION 2561.** 343.31 (2m) of the statutes is amended to read:
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343.31 (2m) The department may suspend or revoke, respectively, the operating privilege of any resident upon receiving notice of the conviction of that person under a law of another jurisdiction or a federally recognized American Indian tribe or band in this state for an offense which, if the person had committed the offense in this state and been convicted of the offense under the laws of this state, would have permitted suspension or revocation of the person’s operating privilege under s. 343.30 (1g). Upon receiving similar notice with respect to a nonresident, the department may suspend or revoke the privilege of the nonresident to operate a motor vehicle in this state. The suspension or revocation shall not apply to the operation of a commercial motor vehicle by a nonresident who holds a valid commercial driver license issued by another state. A suspension or revocation under this subsection shall be for any period not exceeding 6 months.

SECTION 2562. 343.315 (2) (a) (intro.) of the statutes is amended to read:

343.315 (2) (a) (intro.) Except as provided in par. (b), a person shall be disqualified from operating a commercial motor vehicle for a one-year period upon a first conviction of any of the following offenses, committed on or after July 1, 1987, while driving or operating a commercial motor vehicle:

SECTION 2563. 343.315 (2) (a) 7. of the statutes is created to read:

343.315 (2) (a) 7. Operating a commercial motor vehicle when the person’s commercial driver license is revoked, suspended, or canceled based on the person’s operation of a commercial motor vehicle or when the person is disqualified from operating a commercial motor vehicle based on the person’s operation of a commercial motor vehicle.

SECTION 2564. 343.315 (2) (a) 8. of the statutes is created to read:
343.315 (2) (a) 8. Causing a fatality through negligent or criminal operation
of a commercial motor vehicle.

SECTION 2565. 343.315 (2) (e) of the statutes is amended to read:

343.315 (2) (e) A person is disqualified for life from operating a commercial
motor vehicle if the person uses a commercial motor vehicle on or after
July 1, 1987, in the commission of a felony involving the manufacture, distribution,
delivery or dispensing of a controlled substance or controlled substance analog, or
possession with intent to manufacture, distribute, deliver or dispense a controlled
substance or controlled substance analog. No person who is disqualified under this
paragraph is eligible for reinstatement under par. (d).

SECTION 2566. 343.315 (2) (f) (intro.) of the statutes is amended to read:

343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from
operating a commercial motor vehicle if convicted of 2 serious traffic violations, and
120 days if convicted of 3 serious traffic violations, arising from separate occurrences
committed within a 3-year period while driving or operating a commercial motor
vehicle. The 120-day period of disqualification under this paragraph shall be in
addition to any other period of disqualification imposed under this paragraph. In
this paragraph, “serious traffic violations” means any of the following offenses
committed while operating a commercial motor vehicle, or any of the following
offenses committed while operating any motor vehicle if the offense results in the
revocation, cancellation, or suspension of the person’s operator’s license or operating
privilege:

SECTION 2567. 343.315 (2) (f) 2. of the statutes is amended to read:

343.315 (2) (f) 2. Violating any state or local law of this state or any law of a
federally recognized American Indian tribe or band in this state in conformity with
any state law or any law of another jurisdiction relating to motor vehicle traffic
control, arising in connection with a fatal accident, other than parking, vehicle
weight or vehicle defect violations, or violations to which par. (a) 7. applies.

SECTION 2568. 343.315 (2) (f) 6. of the statutes is created to read:

343.315 (2) (f) 6. Operating a commercial motor vehicle when the person has
not obtained a commercial driver license.

SECTION 2569. 343.315 (2) (f) 7. of the statutes is created to read:

343.315 (2) (f) 7. Operating a commercial motor vehicle when the person does
not have in his or her immediate possession the person’s commercial driver license
document, including any special restrictions cards issued under s. 343.10 (7) (d) or
343.17 (4), unless the person produces in court or in the office of the law enforcement
officer that issued the citation, by the date that the person must appear in court or
pay any fine or forfeiture with respect to the citation, a commercial driver license
document issued to the person prior to the date of the citation and valid at the time
of the citation.

SECTION 2570. 343.315 (2) (f) 8. of the statutes is created to read:

343.315 (2) (f) 8. Operating a commercial motor vehicle without the proper
class of commercial driver license or endorsements for the specific vehicle group
being operated or for the passengers or type of cargo being transported.

SECTION 2571. 343.315 (2) (k) of the statutes is created to read:

343.315 (2) (k) A person disqualified by federal authorities under 49 USC
31310 (f) and 49 CFR 383.52 on the basis that the person’s continued operation of a
commercial motor vehicle would create an imminent hazard, as defined in 49 USC
5102 and 49 CFR 383.5, is disqualified from operating a commercial motor vehicle
for the period of disqualification determined by the federal authority upon receipt by
the department of the notice of disqualification provided for in 49 CFR 383.52 (d).

**SECTION 2572.** 343.44 (1) (d) of the statutes is amended to read:

343.44 (1) (d) *Operating while disqualified.* No person may operate a
commercial motor vehicle while disqualified under s. 343.315 or 49 CFR 383.51,
under the law of another jurisdiction or Mexico that provides for disqualification of
commercial drivers in a manner similar to 49 CFR 383.51, or under a determination
by the federal highway *motor carrier safety* administration under the federal rules
of practice for motor carrier safety contained in 49 CFR 386 that the person is no
longer qualified to operate a vehicle under 49 CFR 391.

**SECTION 2573.** 343.44 (2) (b) (intro.) of the statutes is amended to read:

343.44 (2) (b) (intro.) Except as provided in par. (am), any person who violates
sub. (1) (b), (c) or (d) shall be fined not more than $2,500 or imprisoned for not more
than one year in the county jail or both. In imposing a sentence under this
paragraph, or a local ordinance in conformity with this paragraph, the court shall
review the record and consider the following:

**SECTION 2574.** 343.44 (2) (bm) of the statutes is created to read:

343.44 (2) (bm) Any person who violates sub. (1) (c) shall be fined not less than
$1,100 nor more than $2,750 or imprisoned for not more than one year in the county
jail or both. In imposing a sentence under this paragraph, the court shall review the
record and consider the factors specified in par. (b) 1. to 5.

**SECTION 2575.** 344.185 (2) (e) 2. of the statutes is amended to read:

344.185 (2) (e) 2. All other proceeds of the sale remaining after the payments
under subd. 1. shall be retained by the secretary of transportation and applied as
security for payment of judgments and assignments as provided under s. 344.20 (2).
Any amounts not used to pay judgments or assignments shall be transmitted to the state treasurer secretary of administration for deposit in the school fund.

**SECTION 2575.** 344.576 (3) (a) 5. of the statutes is amended to read:

344.576 (3) (a) 5. The address and telephone number of the department of agriculture, trade and consumer protection justice.

**SECTION 2576.** 344.576 (3) (c) of the statutes is amended to read:

344.576 (3) (c) The department of agriculture, trade and consumer protection justice shall promulgate rules specifying the form of the notice required under par. (a), including the size of the paper and the type size and any highlighting of the information described in par. (a). The rule may specify additional information that must be included in the notice and the precise language that must be used.

**SECTION 2577.** 344.579 (2) (intro.) of the statutes is amended to read:

344.579 (2) ENFORCEMENT. (intro.) The department of agriculture, trade and consumer protection justice shall investigate violations of ss. 344.574, 344.576 (1), (2) and (3) (a) and (b), 344.577 and 344.578. The department of agriculture, trade and consumer protection justice may on behalf of the state:

**SECTION 2578.** 345.08 of the statutes is amended to read:

345.08 Suit to recover protested tax or fee. No suit shall be maintained in any court to restrain or delay the collection or payment of the taxes levied or the fees imposed or enacted in chs. 341 to 349. The aggrieved taxpayer shall pay the tax or fee as and when due and, if paid under protest, may at any time within 90 days from the date of such payment sue the state in an action at law to recover the tax or fee so paid. If it is finally determined that such tax or fee or any part thereof was wrongfully collected for any reason, the department secretary of administration shall issue a warrant on the state treasurer for pay from the transportation fund the
amount of such tax or fee so adjudged to have been wrongfully collected and the state treasurer shall pay the same out of the transportation fund. A separate suit need not be filed for each separate payment made by any taxpayer, but a recovery may be had in one suit for as many payments as were made within the 90-day period preceding the commencement of the action. Such suits shall be commenced as provided in s. 775.01.

SECTION 2580. 346.177 (3) of the statutes is amended to read:

346.177 (3) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the railroad crossing improvement assessment under this section. If the deposit is forfeited, the amount of the railroad crossing improvement assessment shall be transmitted to the state treasurer secretary of administration under sub. (4). If the deposit is returned, the amount of the railroad crossing improvement assessment shall also be returned.

SECTION 2581. 346.177 (4) of the statutes is amended to read:

346.177 (4) The clerk of the circuit court shall collect and transmit to the county treasurer the railroad crossing improvement assessment as required under s. 59.40 (2) (m). The county treasurer shall then pay the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2. The state treasurer secretary of administration shall deposit all amounts received under this subsection in the transportation fund to be appropriated under s. 20.395 (2) (gi).

SECTION 2582. 346.45 (3) (d) of the statutes is amended to read:

346.45 (3) (d) A railroad grade crossing which is marked with a sign in accordance with s. 195.285 (3). Such signs shall be erected by the maintaining
authority only upon order of the office of the commissioner of railroads as set forth in department or the division of hearings and appeals in accordance with s. 195.285.

**Section 2583.** 346.495 (3) of the statutes is amended to read:

346.495 (3) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the railroad crossing improvement assessment under this section. If the deposit is forfeited, the amount of the railroad crossing improvement assessment shall be transmitted to the state treasurer secretary of administration under sub. (4). If the deposit is returned, the amount of the railroad crossing improvement assessment shall also be returned.

**Section 2584.** 346.495 (4) of the statutes is amended to read:

346.495 (4) The clerk of the circuit court shall collect and transmit to the county treasurer the railroad crossing improvement assessment as required under s. 59.40 (2) (m). The county treasurer shall then pay the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2. The state treasurer secretary of administration shall deposit all amounts received under this subsection in the transportation fund to be appropriated under s. 20.395 (2) (gj).

**Section 2585.** 346.63 (2m) of the statutes is amended to read:

346.63 (2m) If a person has not attained the legal drinking age, as defined in s. 125.02 (8m), the person may not drive or operate a motor vehicle while he or she has an alcohol concentration of more than 0.0 but not more than 0.1 0.08. One penalty for violation of this subsection is suspension of a person’s operating privilege under s. 343.30 (1p). The person is eligible for an occupational license under s. 343.10 at any time. If a person arrested for a violation of this subsection refuses to take a
test under s. 343.305, the refusal is a separate violation and the person is subject to
revocation of the person's operating privilege under s. 343.305 (10) (em).

**SECTION 2586.** 346.63 (5) (a) of the statutes is amended to read:

346.63 (5) (a) No person may drive or operate a commercial motor vehicle while
the person has an alcohol concentration of 0.04 or more but less than 0.1 0.08.

**SECTION 2587.** 346.63 (6) (a) of the statutes is amended to read:

346.63 (6) (a) No person may cause injury to another person by the operation
of a commercial motor vehicle while the person has an alcohol concentration of 0.04
or more but less than 0.1 0.08.

**SECTION 2588.** 346.65 (4r) (c) of the statutes is amended to read:

346.65 (4r) (c) If any deposit is made for an offense to which this subsection
applies, the person making the deposit shall also deposit a sufficient amount to
include the railroad crossing improvement assessment under this subsection. If the
deposit is forfeited, the amount of the railroad crossing improvement assessment
shall be transmitted to the state treasurer secretary of administration under par. (d).
If the deposit is returned, the amount of the railroad crossing improvement
assessment shall also be returned.

**SECTION 2589.** 346.65 (4r) (d) of the statutes is amended to read:

346.65 (4r) (d) The clerk of the circuit court shall collect and transmit to the
county treasurer the railroad crossing improvement assessment as required under
s. 59.40 (2) (m). The county treasurer shall then pay the state treasurer secretary
of administration as provided in s. 59.25 (3) (f) 2. The state treasurer secretary of
administration shall deposit all amounts received under this paragraph in the
transportation fund to be appropriated under s. 20.395 (2) (gi).

**SECTION 2590.** 346.655 (2) (a) of the statutes is amended to read:
346.655 (2) (a) Except as provided in par. (b), the clerk of court shall collect and transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer shall then make payment of 38.5% of the amount to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2.

Section 2591. 346.655 (2) (b) of the statutes is amended to read:

346.655 (2) (b) If the forfeiture is imposed by a municipal court, the court shall transmit the amount to the treasurer of the county, city, town, or village, and that treasurer shall make payment of 38.5% of the amount to the state treasurer secretary of administration as provided in s. 66.0114 (1) (bm). The treasurer of the city, town, or village shall transmit the remaining 61.5% of the amount to the treasurer of the county.

Section 2592. 346.655 (3) of the statutes is amended to read:

346.655 (3) All moneys collected from the driver improvement surcharge that are transmitted to the county treasurer under sub. (2) (a) or (b), except the amounts that the county treasurer is required to transmit to the state treasurer secretary of administration under sub. (2) (a) or (b), shall be retained by the county treasurer and disbursed to the county department under s. 51.42 for services under s. 51.42 for drivers referred through assessment.

Section 2593. 348.25 (8) (a) (intro.) of the statutes is amended to read:

348.25 (8) (a) (intro.) Except as provided under par. (dm), the department shall charge the following fees for each permit issued under s. 348.26 or 348.27:

Section 2594. 348.25 (8) (a) 1. of the statutes is amended to read:

348.25 (8) (a) 1. For a vehicle or combination of vehicles which exceeds length limitations, $15, except that if the application for a permit for a vehicle described in
this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $17.

**SECTION 2595.** 348.25 (8) (a) 2. of the statutes is amended to read:

348.25 (8) (a) 2. For a vehicle or combination of vehicles which exceeds either width limitations or height limitations, $20, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $22.

**SECTION 2596.** 348.25 (8) (a) 2m. of the statutes is amended to read:

348.25 (8) (a) 2m. For a vehicle or combination of vehicles which exceeds both width and height limitations, $25, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $28.

**SECTION 2597.** 348.25 (8) (b) 1. of the statutes is amended to read:

348.25 (8) (b) 1. For a vehicle or combination of vehicles which exceeds length limitations, $60, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $66.

**SECTION 2598.** 348.25 (8) (b) 2. of the statutes is amended to read:

348.25 (8) (b) 2. For a vehicle or combination of vehicles which exceeds width limitations or height limitations or both, $90, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $99.

**SECTION 2599.** 348.25 (8) (b) 3. a. of the statutes is amended to read:

348.25 (8) (b) 3. a. If the gross weight is 90,000 pounds or less, $200, except that if the application for a permit for a vehicle described in this subd. 3. a. is submitted
to the department after December 31, 1999, and before July 1, 2003 2005, the fee is

$220.

SECTION 2600. 348.25 (8) (b) 3. b. of the statutes is amended to read:

348.25 (8) (b) 3. b. If the gross weight is more than 90,000 pounds but not more
than 100,000 pounds, $350, except that if the application for a permit for a vehicle
described in this subd. 3. b. is submitted to the department after December 31, 1999,
and before July 1, 2003 2005, the fee is $385.

SECTION 2601. 348.25 (8) (b) 3. c. of the statutes is amended to read:

348.25 (8) (b) 3. c. If the gross weight is greater than 100,000 pounds, $350 plus
$100 for each 10,000-pound increment or fraction thereof by which the gross weight
exceeds 100,000 pounds, except that if the application for a permit for a vehicle
described in this subd. 3. c. is submitted to the department after December 31, 1999,
and before July 1, 2003 2005, the fee is $385 plus $110 for each 10,000-pound
increment or fraction thereof by which the gross weight exceeds 100,000 pounds.

SECTION 2602. 348.25 (8) (bm) 1. of the statutes is amended to read:

348.25 (8) (bm) 1. Unless a different fee is specifically provided, the fee for a
consecutive month permit is one-twelveth of the fee under par. (b) for an annual
permit times the number of months for which the permit is desired, plus $15 for each
permit issued. This subdivision does not apply to applications for permits submitted

SECTION 2603. 348.25 (8) (bm) 2. of the statutes is amended to read:

348.25 (8) (bm) 2. Unless a different fee is specifically provided, the fee for a
consecutive month permit is one-twelveth of the fee under par. (b) for an annual
permit times the number of months for which the permit is desired, plus $16.50 for
each permit issued, rounded to the nearest whole dollar. This subdivision does not

**SECTION 2604.** 348.25 (8) (e) of the statutes is amended to read:

348.25 (8) (e) The officer or agency authorized to issue a permit under s. 348.26 or 348.27 may require any applicant for a permit under s. 348.26 or 348.27 to pay the cost of any special investigation undertaken to determine whether a permit should be approved or denied and to pay an additional fee of $5 per permit if a department telephone call-in procedure is used. If the department permits the payment of the fee under par. (a) by telephone or Internet with use of a credit card, the department shall charge a fee to be established by rule for each transaction. The fee shall approximate the cost to the department for providing this service to persons so requesting.

**SECTION 2605.** 349.04 (3) of the statutes is amended to read:

349.04 (3) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the truck driver education assessment under this section. If the deposit is forfeited, the amount of the truck driver education assessment shall be transmitted to the state treasurer secretary of administration under sub. (4). If the deposit is returned, the amount of the truck driver education assessment shall also be returned.

**SECTION 2606.** 349.04 (4) of the statutes is amended to read:

349.04 (4) The clerk of the circuit court shall collect and transmit to the county treasurer the truck driver education assessment as required under s. 59.40 (2) (m). The county treasurer shall then pay the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2. The state treasurer secretary of administration shall
deposit all amounts received under this subsection in the general fund to be credited
to the appropriation account under s. 20.292 (1) (hm).

SECTION 2607. 350.115 (1) (c) of the statutes is amended to read:

350.115 (1) (c) If any deposit is made for an offense to which this section applies,
the person making the deposit shall also deposit a sufficient amount to include the
snowmobile registration restitution payment prescribed in this section. If the
deposit is forfeited, the amount of the snowmobile registration restitution payment
shall be transmitted to the state treasurer secretary of administration under par. (d).
If the deposit is returned, the snowmobile registration restitution payment shall also
be returned.

SECTION 2608. 350.115 (1) (d) of the statutes is amended to read:

350.115 (1) (d) The clerk of the court shall collect and transmit to the county
treasurer the snowmobile registration restitution payment and other amounts
required under s. 59.40 (2) (m). The county treasurer shall then make payment to
the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2.

SECTION 2609. 350.137 (1) of the statutes is amended to read:

350.137 (1) The department, after having consulted with each rail authority,
as defined in s. 350.138 (1) (b), in this state, that has furnished the department with
the information required under s. 350.138 (2m), an established snowmobile
association that represents snowmobile clubs, as defined in s. 350.138 (1) (e), in this
state, and the office of the commissioner of railroads department of transportation,
shall promulgate rules to establish uniform maintenance standards and uniform
design and construction standards for snowmobile rail crossings under ss. 350.138
and 350.139.

SECTION 2610. 350.138 (4) (c) of the statutes is amended to read:
350.138 (4) (c) The department shall give notice of any hearing scheduled under par. (b) to the applicant, to the applicable rail authority, and to the office of the commissioner of railroads department of transportation. The hearing shall be a contested case hearing under ch. 227. The department's department of natural resources' order issuing or denying a permit is a final order subject to judicial review under ch. 227.

**SECTION 2611.** 350.138 (9) of the statutes is amended to read:

350.138 (9) **INSPECTION AUTHORIZED.** The department or the office of the commissioner of railroads department of transportation may inspect the site of a proposed snowmobile rail crossing or the site of a snowmobile rail crossing for which a permit has been issued to determine whether there are grounds to refuse to issue a permit under sub. (4) or to revoke a permit under sub. (8).

**SECTION 2612.** 350.139 (5) of the statutes is amended to read:

350.139 (5) **INSPECTION AUTHORIZED.** The department or the office of the commissioner of railroads department of transportation may inspect an established snowmobile rail crossing to determine whether the snowmobile organization maintaining the crossing is in compliance with the requirements imposed under sub. (4).

**SECTION 2613.** 350.1395 (2) (b) 2. of the statutes is amended to read:

350.1395 (2) (b) 2. The department shall hold a hearing on a petition filed under subd. 1. after giving notice of the hearing to the rail authority, the snowmobile organization, and the office of the commissioner of railroads department of transportation. The hearing shall be a contested case hearing under ch. 227. The department's department of natural resources' order shall be a final order subject to judicial review under ch. 227.
Section 2614. 350.1395 (2) (b) 3. (intro.) of the statutes is amended to read:

350.1395 (2) (b) 3. (intro.) The department shall grant a rail authority's petition under subd. 2. to close or remove a snowmobile rail crossing if, after a hearing under subd. 2., and after giving substantial weight to the testimony or report given under s. 195.03 (30) (b), the department of natural resources finds that any of the following applies:

Section 2615. 350.1395 (4) (b) of the statutes is amended to read:

350.1395 (4) (b) The department may not promulgate a rule under this subsection without first consulting with each rail authority in this state that has furnished the department with the information required under s. 350.138 (2m), an established snowmobile association that represents snowmobile clubs, as defined in s. 350.138 (1) (e), in this state, and the office of the commissioner of railroads department of transportation.

Section 2616. 351.07 (1g) of the statutes is amended to read:

351.07 (1g) No person may file a petition for an occupational license under sub. (1) unless he or she first pays a fee of $40 to the clerk of the circuit court. The clerk of the circuit court shall give the person a receipt and forward the fee to the county treasurer. That treasurer shall pay 50% of the fee to the state treasurer secretary of administration under s. 59.25 (3) (m) and retain the balance for the use of the county.

Section 2617. 445.125 (1) (a) 2. of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made irrevocable as to the first $3,000 $1,500 of the funds paid under the agreement by each depositor.
SECTION 2618. 552.23 (1) of the statutes is amended to read:

552.23 (1) If the target company is an insurance company subject to regulation by the commissioner of insurance, a banking corporation subject to regulation by the division of banking, a savings bank, or savings and loan association subject to regulation by the division of savings institutions banking, or a company subject to regulation by the public service commission, or the department of transportation or the office of the commissioner of railroads, the division of securities shall promptly furnish a copy of the registration statement filed under this chapter to the regulatory agency having supervision of the target company. Any hearing under this chapter involving any such target company shall be held jointly with the regulatory agency having supervision, and any determination following the hearing shall be made jointly with that regulatory agency.

SECTION 2619. 560.045 (1) of the statutes is amended to read:

560.045 (1) Notwithstanding s. 16.54 (2) (a), from moneys received under a community development block grant, 42 USC 5301 to 5320, the department shall contract with the department of administration for the administration of housing programs, including the housing improvement grant program and the initial rehabilitation grant program. To the extent allowed under federal law or regulation, the department shall give priority in the awarding of grants under the housing programs to grants for projects related to the redevelopment of brownfields, as defined in s. 560.60 (1v).

SECTION 2620. 560.13 of the statutes is repealed.

SECTION 2621. 560.138 (1) (ac) of the statutes is amended to read:

560.138 (1) (ac) “Brownfields” has the meaning given in s. 560.13 (1) (a) 560.60 (1v).
SECTION 2622. 560.139 (1) (c) of the statutes is repealed.

SECTION 2623. 560.18 of the statutes is repealed.

SECTION 2624. 560.25 of the statutes, as affected by 2001 Wisconsin Act 16, is repealed.

SECTION 2625. 560.41 (1) of the statutes is repealed.

SECTION 2626. 560.44 of the statutes is repealed.

SECTION 2627. 560.605 (1) (i) of the statutes is amended to read:

560.605 (1) (i) The eligible recipient has not received a grant under s. 560.25, 2001 stats.

SECTION 2628. 560.62 (2m) of the statutes is repealed.

SECTION 2629. 562.02 (1) (g) of the statutes is amended to read:

562.02 (1) (g) At least once every 3 months, file a written report on the operation of racing in this state with the governor, the attorney general, the state treasurer, secretary of administration, the secretary of state, the legislative audit bureau, the president of the senate, and the speaker of the assembly. The report shall include information on racetrack operations, race attendance, and private, state, and local revenues derived from racing in this state.

SECTION 2630. 565.25 (1m) of the statutes is amended to read:

565.25 (1m) Scope of authority. Subject to approval by the secretary of revenue, the administrator may determine whether lottery functions shall be performed by department of revenue employees or by one or more persons under contract with the department of administration, except that no contract may provide for the entire management of the lottery or for the entire operation of the lottery by any private person. The department of administration may contract for management consultation services to assist in the management or operation of the
lottery. The department of administration may not contract for financial auditing
or security monitoring services, except that, if for financial auditing services and
procurement functions relating to the state lottery. If the department of
administration delegates under s. 16.71 (1) to the department of revenue the
authority to make a major procurement, the department of revenue may contract
with the department of administration for warehouse and building protection
services relating to the state lottery. If the department of administration delegates
under s. 16.71 (1) to the department of revenue the authority to make a major
procurement, the department of revenue shall assume the powers and duties of the
department of administration and the administrator shall assume the powers and
duties of the secretary of administration under this section and ss. 16.70 to 16.77,
except under ss. 16.72 (4) (a), 16.76 (1) and 16.77 (1).

SECTION 2631. 565.25 (2) (a) 4. of the statutes is repealed and recreated to read:

565.25 (2) (a) 4. The administrator shall develop specifications for major
procurements. If security is a factor in the materials, supplies, equipment, property,
or services to be purchased in any major procurement, then invitations for bids or
competitive sealed proposals shall include specifications related to security. The
administrator shall submit specifications for major procurement to the secretary of
revenue for review and approval before the department releases the specifications
in invitations for bids or competitive sealed proposals. The department shall require
separate bids or separate competitive sealed proposals for management consultation
services if the services are provided under contract as provided in sub. (1m).

SECTION 2632. 565.37 (3) of the statutes is amended to read:

565.37 (3) DEPARTMENT REPORT. The department shall submit quarterly reports
on the operation of the lottery to the chief clerk of each house of the legislature, for
distribution to the legislature under s. 13.172 (2) and to the governor, attorney general, state treasurer, secretary of administration, secretary of state, and state auditor.

**SECTION 2632.** 569.06 of the statutes is renumbered 569.06 (1) and amended to read:

569.06 (1) **GENERAL ALLOCATION.** Except as provided in sub. (2), Indian gaming receipts received in any fiscal year, up to $24,352,500, shall be credited to the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm) as specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm). Except as provided under sub. (2), Indian gaming receipts received in any fiscal year in excess of the amount specified in this subsection shall be paid into the general fund.

**SECTION 2633.** 569.06 (2) of the statutes is created to read:

569.06 (2) **LIMITATIONS ON PAYMENTS TO GENERAL FUND.** (a) **Fiscal year 2003-04.** Not more than $112,000,000 may be paid into the general fund under sub. (1) during the 2003-04 fiscal year. Indian gaming receipts in excess of this amount that would otherwise be required to be paid into the general fund under sub. (1) shall be credited to the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm) as specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm).

(b) **Fiscal year 2004-05 and thereafter.** Not more than $125,000,000 may be paid into the general fund under sub. (1) during the 2004-05 fiscal year and any fiscal year thereafter. Indian gaming receipts in excess of this amount that would otherwise be required to be paid into the general fund under sub. (1) shall be credited to the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm) as specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm).

**SECTION 2635.** 601.13 (1) (intro.) of the statutes is amended to read:
601.13 (1) Receipt of deposits. (intro.) Subject to the approval of the commissioner, the state treasurer secretary of administration shall accept deposits or control of acceptable book-entry accounts from insurers and other licensees of the office as follows:

SECTION 2636. 601.13 (3) (intro.) of the statutes is amended to read:

601.13 (3) Securities eligible. (intro.) All deposits may consist of any of the securities authorized in this subsection. Each security must be approved by the commissioner, must be subject to disposition by the state treasurer secretary of administration, and must not be available to any other person except as expressly provided by law. The authorized securities are:

SECTION 2637. 601.13 (5) of the statutes is amended to read:

601.13 (5) Receipt, inspection, and record. The state treasurer secretary of administration shall deliver to the depositor a receipt for all securities deposited or held under the control of the state treasurer secretary of administration and shall permit the depositor to inspect its physically held securities at any reasonable time. On application of the depositor the state treasurer secretary of administration shall certify when required by any law of the United States or of any other state or foreign country or by the order of any court of competent jurisdiction that the deposit was made. The state treasurer secretary of administration and the commissioner shall each keep a permanent record of securities deposited or held under the control of the state treasurer secretary of administration and of any substitutions or withdrawals and shall compare records at least annually.

SECTION 2638. 601.13 (6) of the statutes is amended to read:
601.13 (6) TRANSFER OF SECURITIES. No transfer of a deposited security, whether voluntary or by operation of law, is valid unless approved in writing by the commissioner and countersigned by the treasurer secretary of administration.

SECTION 2639. 601.13 (8) (intro.) of the statutes is amended to read:

601.13 (8) INTEREST AND SUBSTITUTIONS. (intro.) Subject to s. 14.58 (13) 16.401 (11), a depositor shall, while solvent and complying with the laws of this state, be entitled:

SECTION 2640. 601.13 (11) of the statutes is amended to read:

601.13 (11) ADVANCE DEPOSIT OF FEES. With the approval of the commissioner, any person required to pay fees or assessments to the state through the commissioner may make a deposit with the treasurer secretary of administration from which the fees or assessments shall be paid on order of the commissioner not less than twice each year. Upon request by the depositor, any balance remaining shall be returned on the certificate of the commissioner that all fees and assessments have been paid to date.

SECTION 2641. 601.17 of the statutes is repealed.

SECTION 2642. 601.34 of the statutes is repealed.

SECTION 2643. 601.45 (3) of the statutes is amended to read:

601.45 (3) DEPOSIT. The commissioner may require any examinee, before or from time to time during an examination, to deposit with the state treasurer secretary of administration such deposits as the commissioner deems necessary to pay the costs of the examination. Any deposit and any payment made under subs. (1) and (2) shall be credited to the appropriation under s. 20.145 (1) (g) in the percentage specified in that paragraph.

SECTION 2644. 601.62 (4) of the statutes is amended to read:
601.62 (4) FEES IN INVESTIGATIONS AND HEARINGS. The fees for stenographic services in investigations, examinations, and hearings may not exceed the sum provided for like services in the circuit court. The fees of officers, witnesses, interpreters, and stenographers on behalf of the commissioner or the state shall be paid by the state treasurer upon the warrant of the department secretary of administration, authorized by the certificate of the commissioner, and shall be charged to the appropriation under s. 20.145 (1) (g).

SECTION 2645. 604.04 (4) of the statutes is amended to read:

604.04 (4) PAYMENT PROCEDURE. Any charges against a fund under sub. (3) shall be certified by the commissioner, audited by the department of administration under s. 16.53, and paid by the treasurer secretary of administration out of the appropriate fund in accordance with procedures of the department of administration.

SECTION 2646. 604.05 of the statutes is amended to read:

604.05 Investments. Assets of all funds under chs. 605 to 607 shall be invested by the state investment board under s. 25.17. Each January 1 the state treasurer secretary of administration shall credit each fund with earnings on the invested assets in each fund for the preceding 12 months. If any fund is indebted to the general fund of the state, the fund shall be charged, at the end of each calendar year, with interest on the indebtedness at the average rate earned by the state upon its deposits in public depositories during the period of indebtedness and that sum shall be credited to the general fund.

SECTION 2647. 604.06 (1) of the statutes is amended to read:

604.06 (1) CUSTODY. The state treasurer secretary of administration has sole custody of all assets of funds under chs. 605 to 607.

SECTION 2648. 604.07 of the statutes is amended to read:
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604.07 Bonds. The commissioner as manager of the funds and the treasurer shall file surety bonds, specifically conditioned on the performance of their duties under chs. 605 to 607, in amounts required by, and with sureties approved by, the governor.

**SECTION 2649.** 605.30 of the statutes is amended to read:

605.30 Inadequacy of fund. If the property fund does not have sufficient assets to pay claims that are due, the department secretary of administration shall issue a warrant as a transfer from the general fund to the property fund an amount sufficient to pay the losses and the state treasurer shall pay the warrant losses. The property fund shall thereafter repay the general fund this amount and the department secretary of administration shall issue warrants for such transfer the amount as soon as there are assets in the property fund.

**SECTION 2650.** 611.76 (4) (e) of the statutes is amended to read:

611.76 (4) (e) That no policyholder, other than a policyholder of a mutual life insurance company, may receive a distribution of shares valued in excess of the amount to which he or she is entitled under s. 645.72 (4). Any excess over that amount shall be distributed in shares to the state treasury for the benefit of the common school fund. After 5 years the shares may be sold by the treasurer secretary of administration at his or her discretion and the proceeds credited to the common school fund; and

**SECTION 2651.** 632.746 (7m) of the statutes is created to read:

632.746 (7m) (a) In this subsection, “terms of the group health benefit plan” does not include any requirements under the group health benefit plan related to enrollment periods or waiting periods.
(b) An insurer offering a group health benefit plan shall permit, as provided in par. (c), an employee who is not enrolled but who is eligible for coverage under the terms of the group health benefit plan, or a participant’s or employee’s dependent who is not enrolled but who is eligible for coverage under the terms of the group health benefit plan, to enroll for coverage under the terms of the plan if all of the following apply:

1. The employee or dependent is eligible for benefits under the Medical Assistance program under s. 49.472 or for coverage under the Badger Care health care program under s. 49.665.

2. The department of health and family services will purchase coverage under the group health benefit plan on behalf of the employee or dependent because the department of health and family services has determined that paying the portion of the premium for which the employee is responsible will not be more costly than providing the medical assistance or the coverage under the Badger Care health care program, whichever is applicable.

(c) An insurer permitting an employee or dependent to enroll under this subsection shall provide for an enrollment period of not less than 30 days, beginning on the date on which the department of health and family services makes the determination under par. (b) 2.

SECTION 2652. 655.26 (2) of the statutes is amended to read:

655.26 (2) By the 15th day of each month, the board of governors shall report the information specified in sub. (1) to the medical examining board for each claim paid by the fund or from the appropriation under s. 20.145 (2) (a) during the previous month for damages arising out of the rendering of health care services by a health care provider or an employee of a health care provider.
SECTION 2653. 655.27 (3) (am) of the statutes is amended to read:

655.27 (3) (am) Assessments for peer review council. The fund, a mandatory health care liability risk-sharing plan established under s. 619.041, and a private health care liability insurer shall be assessed, as appropriate, fees sufficient to cover the costs of the patients compensation fund peer review council, including costs of administration, for reviewing claims paid by the fund, or from the appropriation under s. 20.145 (2) (a), by the plan, and by the insurer, respectively, under s. 655.275 (5). The fees shall be set by the commissioner by rule, after approval by the board of governors, and shall be collected by the commissioner for deposit in the fund. The costs of the patients compensation fund peer review council shall be funded from the appropriation under s. 20.145 (2) (um).

SECTION 2654. 655.27 (4) (a) of the statutes is amended to read:

655.27 (4) (a) Moneys shall be withdrawn from the fund, or paid from the appropriation under s. 20.145 (2) (a), by the commissioner only upon vouchers approved and authorized by the board of governors.

SECTION 2655. 655.27 (5) (e) of the statutes is amended to read:

655.27 (5) (e) Claims filed against the fund shall be paid in the order received within 90 days after filing unless appealed by the fund. If the amounts in the fund are not sufficient to pay all of the claims, claims received after the funds are exhausted shall be immediately payable the following year in the order in which they were received paid from the appropriation under s. 20.145 (2) (a).

SECTION 2656. 655.275 (5) (a) (intro.) of the statutes is amended to read:

655.275 (5) (a) (intro.) The council shall review, within one year of the date of first payment on the claim, each claim that is paid by the fund, or from the appropriation under s. 20.145 (2) (a), by a mandatory health care liability
risk-sharing plan established under s. 619.04, by a private health care liability insurer, or by a self-insurer for damages arising out of the rendering of medical care by a health care provider or an employee of the health care provider and shall make recommendations to all of the following:

**SECTION 2657.** Subchapter VIII of chapter 655 [precedes 655.75] of the statutes is created to read:

**CHAPTER 655**

**SUBCHAPTER VIII**

**HEALTH CARE PROVIDER AVAILABILITY AND COST CONTROL FUND**

**655.75 Health care provider availability and cost control fund. (1)**

There is created a health care provider availability and cost control fund for the purposes of ensuring the availability of health care providers in the state and controlling the cost of health care services to state taxpayers, workers, and employers. The fund may be used for all of the following purposes:

(a) To assist in the education and training of health care providers.

(b) To ensure that health care providers who serve recipients under the Medical Assistance program or other health care programs established by the state receive levels of payment sufficient to retain their participation in the programs and to reduce the risk of shifting costs to private sector employers.

(c) To defray the cost of other health-related programs that the secretary of health and family services determines are effective in ensuring the availability of health care providers in the state and controlling the cost of health care services to state taxpayers, workers, and employers.
(2) The health care provider availability and cost control fund shall be administered by the commissioner.

(3) The health care provider availability and cost control fund shall be funded with the transfer of moneys from the patients compensation fund under 2003 Wisconsin Act .... (this act), section 9228 (1).

SECTION 2658. 704.05 (5) (a) 2. of the statutes is amended to read:

704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail addressed to the tenant’s last-known address, of the landlord’s intent to dispose of the personal property by sale or other appropriate means if the property is not repossessed by the tenant. If the tenant fails to repossess the property within 30 days after the date of personal service or the date of the mailing of the notice, the landlord may dispose of the property by private or public sale or any other appropriate means. The landlord may deduct from the proceeds of sale any costs of sale and any storage charges if the landlord has first stored the personalty under subd. 1. If the proceeds minus the costs of sale and minus any storage charges are not claimed within 60 days after the date of the sale of the personalty, the landlord is not accountable to the tenant for any of the proceeds of the sale or the value of the property. The landlord shall send the proceeds of the sale minus the costs of the sale and minus any storage charges to the department of administration for deposit in the appropriation under s. 20.505 (7) 20.143 (2) (h).

SECTION 2659. 704.90 (9) of the statutes is amended to read:

704.90 (9) RULES. The department of agriculture, trade and consumer protection justice may promulgate rules necessary to carry out the purposes of this section.

SECTION 2660. 704.90 (11) (title) of the statutes is amended to read:

**SECTION 2661.** 704.90 (11) (a) of the statutes is amended to read:

704.90 (11) (a) Except as provided in par. (c), the department of agriculture, trade and consumer protection justice shall investigate alleged violations of this section and rules promulgated under sub. (9). To facilitate its investigations, the department may subpoena persons and records and may enforce compliance with the subpoenas as provided in s. 885.12.

**SECTION 2662.** 707.49 (4) of the statutes is amended to read:

707.49 (4) Surety bond and other options. Instead of placing deposits in an escrow account, a developer may obtain a surety bond issued by a company authorized to do business in this state, an irrevocable letter of credit or a similar arrangement, in an amount which at all times is not less than the amount of the deposits otherwise subject to the escrow requirements of this section. The bond, letter of credit or similar arrangement shall be filed with the department of agriculture, trade and consumer protection justice and made payable to the department of agriculture, trade and consumer protection justice for the benefit of aggrieved parties.

**SECTION 2663.** 707.57 (2) of the statutes is amended to read:

707.57 (2) Department of Agriculture, Trade and Consumer Protection Justice Authority. (a) The department of agriculture, trade and consumer protection justice, or any district attorney upon informing the department of agriculture, trade and consumer protection justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this chapter. Before entry of final judgment, the court may
make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action if proof of these acts or practices is submitted to the satisfaction of the court.

(b) The department of agriculture, trade and consumer protection justice may conduct hearings, administer oaths, issue subpoenas and take testimony to aid in its investigation of violations of this chapter.

SECTION 2664. 707.57 (3) of the statutes is amended to read:

707.57 (3) PENALTY. Any person who violates this chapter shall be required to forfeit not more than $5,000 for each offense. Forfeitures under this subsection shall be enforced by action on behalf of the state by the department of agriculture, trade and consumer protection justice or by the district attorney of the county where the violation occurs.

SECTION 2665. 753.061 (5) of the statutes is amended to read:

753.061 (5) The state shall reimburse the county for the costs of operating one of the 2 circuit court branches designated under sub. (2m) that begin to primarily handle violent crime cases on September 1, 1991, including the one-time cost of courtroom construction. The costs reimbursable under this subsection shall be paid by the state treasurer secretary of administration to the county treasurer pursuant to a voucher submitted by the clerk of circuit court to the director of state courts and shall be paid from the appropriation under s. 20.625 (1) (as). The amount reimbursable under this subsection may not exceed $383,100 in the 1991–92 fiscal year and $0 in the 1992–93 fiscal year.

SECTION 2666. 753.07 (2) (a) of the statutes is amended to read:

753.07 (2) (a) The persons shall continue to receive salaries directly payable from the state in the same amount as they were receiving on July 31, 1978, and such
salaries are subject to s. 40.05. The balance of the salaries authorized under ss. 230.12 and 751.02 for the judges and reporters shall be paid by the state treasurer secretary of administration to the county treasurer pursuant to a voucher submitted by the clerk of circuit court to the director of state courts. The county treasurer shall pay the amounts directly to the judges and reporters and the amounts paid are subject to the retirement system established under chapter 201, laws of 1937.

**SECTION 2666.** 753.07 (3) (a) of the statutes is amended to read:

> 753.07 (3) (a) The salaries authorized under ss. 230.12 and 751.02 for the judges and reporters shall be paid by the state treasurer secretary of administration to the county treasurer pursuant to a voucher submitted by the clerk of circuit court to the director of state courts. The county treasurer shall pay the amounts directly to the judges and reporters and the amounts paid shall be subject to the retirement system established under chapter 201, laws of 1937.

**SECTION 2668.** 753.07 (4) of the statutes is amended to read:

> 753.07 (4) COURT PERSONNEL; OPTIONS. As state employees, county court judges, county court reporters, and assistant county court reporters, as specified in sub. (1), who are denominated or become circuit court judges and reporters on August 1, 1978, and persons serving as circuit court judges and circuit court reporters for Milwaukee County on July 31, 1978, shall have the option of remaining as participants under county life and health insurance programs to the extent of their participation in such programs on February 1, 1978. The state treasurer secretary of administration shall semiannually pay to the county treasurer, pursuant to a voucher submitted by the clerk of circuit court to the director of state courts, an amount equal to the state contribution for life and health insurance for other comparable state employees. The county shall pay the cost of any premiums for life and health insurance exceeding the
sum of the state contribution and the employee contribution as required under the county programs.

SECTION 2668. 757.05 (1) (b) of the statutes is amended to read:

757.05 (1) (b) If a fine or forfeiture is imposed by a court of record, after a determination by the court of the amount due, the clerk of the court shall collect and transmit the amount to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2.

SECTION 2669. 757.05 (1) (c) of the statutes is amended to read:

757.05 (1) (c) If a fine or forfeiture is imposed by a municipal court, after a determination by the court of the amount due, the court shall collect and transmit the amount to the treasurer of the county, city, town, or village, and that treasurer shall make payment to the state treasurer secretary of administration as provided in s. 66.0114 (1) (bm).

SECTION 2670. 757.05 (1) (d) of the statutes is amended to read:

757.05 (1) (d) If any deposit of bail is made for a noncriminal offense to which this subsection applies, the person making the deposit shall also deposit a sufficient amount to include the assessment prescribed in this subsection for forfeited bail. If bail is forfeited, the amount of the assessment shall be transmitted monthly to the state treasurer secretary of administration under this subsection. If bail is returned, the assessment shall also be returned.

SECTION 2671. 758.19 (7) of the statutes is amended to read:

758.19 (7) The director of state courts shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information policy and technology, the governor and the department of electronic government secretary of administration,
no later than September 15 of each even-numbered year, a strategic plan for the utilization of information technology to carry out the functions of the courts and judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the business needs of the courts and judicial branch agencies and shall identify all resources relating to information technology which the courts and judicial branch agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also identify any changes in the functioning of the courts and judicial branch agencies under the plan.

SECTION 2673. 767.027 (1) (intro.) of the statutes is amended to read:

767.027 (1) (intro.) In any action under s. 767.02 (1) (i) to enforce or modify a judgment or order with respect to child support, due process requirements related to notice and service of process are satisfied to the extent that the court finds all of the following:

SECTION 2674. 767.045 (1) (c) 1. of the statutes is amended to read:

767.045 (1) (c) 1. Aid is provided under s. 46.261, 48.57 (3m) or (3n), 49.19, or 49.45 on behalf of the child, or wages or a stipend are paid to or benefits are provided to the child’s custodial parent under ss. 49.141 to 49.161, but the state and its delegate under s. 49.22 (7) are barred by a statute of limitations from commencing an action under s. 767.45 on behalf of the child.

SECTION 2675. 767.075 (1) (c) of the statutes is amended to read:

767.075 (1) (c) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19, or 49.45 is provided on behalf of a dependent child or benefits are provided to the child’s custodial parent under s. 49.79 or under ss. 49.141 to 49.161.


Section 2676. 767.075 (1) (c) of the statutes, as affected by 2003 Wisconsin Act
.... (this act), is amended to read:

767.075 (1) (c) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19, or 49.45
is provided on behalf of a dependent child or wages or a stipend are paid to or benefits
are provided to the child’s custodial parent under s. 49.79 or under ss. 49.141 to
49.161.

Section 2677. 767.075 (1) (cm) of the statutes is amended to read:

767.075 (1) (cm) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19, or
49.45 has, in the past, been provided on behalf of a dependent child, or wages or a
stipend have, in the past, been paid to or benefits have, in the past, been provided
to the child’s custodial parent under ss. 49.141 to 49.161, and the child’s family is
eligible for continuing child support services under 45 CFR 302.33.

Section 2678. 767.15 (1) of the statutes is amended to read:

767.15 (1) In any action affecting the family in which either party is a recipient
of wages, a stipend, or benefits under ss. 49.141 to 49.161 or aid under s. 46.261,
49.19, or 49.45, each party shall, either within 20 days after making service on the
opposite party of any motion or pleading requesting the court or circuit court
commissioner to order, or to modify a previous order, relating to child support,
maintenance, or family support, or before filing the motion or pleading in court, serve
a copy of the motion or pleading upon the county child support agency under s. 59.53
(5) of the county in which the action is begun.

Section 2679. 767.24 (6) (c) of the statutes is amended to read:

767.24 (6) (c) In making an order of joint legal custody and periods of physical
placement, the court may specify one parent as the primary caretaker of the child and
one home as the primary home of the child, for the purpose of determining eligibility
for aid under s. 49.19 or wages, a stipend, or benefits under ss. 49.141 to 49.161 or
for any other purpose the court considers appropriate.

**SECTION 2680.** 767.29 (1) (dm) 1m. of the statutes is amended to read:

767.29 (1) (dm) 1m. The department or its designee may collect any unpaid fees
under s. 814.61 (12) (b), 1997 stats., that are shown on the department’s automated
payment and collection system on December 31, 1998, and shall deposit all fees
collected under this subdivision in the appropriation account under s. 20.445 (3) (ja).
The department or its designee may collect unpaid fees under this subdivision
through income withholding under s. 767.265 (2m). If the department or its designee
determines that income withholding is inapplicable, ineffective, or insufficient for
the collection of any unpaid fees under this subdivision, the department or its
designee may move the court for a remedial sanction under ch. 785. The department
or its designee may contract with or employ a collection agency or other person for
the collection of any unpaid fees under this subdivision and, notwithstanding s.
20.930, may contract with or employ an attorney to appear in any action in
state or federal court to enforce the payment obligation. The department or its
designee may not deduct the amount of unpaid fees from any maintenance, child or
family support, or arrearage payment.

**SECTION 2681.** 767.47 (6) (a) of the statutes is amended to read:

767.47 (6) (a) Whenever the state brings the action to determine paternity
pursuant to an assignment under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 49.19 (4)
h (1.), or 49.45 (19), or receipt of a stipend under s. 49.147 (3m) (g) or benefits or wages
under s. 49.148, 49.155, or 49.157 or 49.159, the natural mother of the child may not
be compelled to testify about the paternity of the child if it has been determined that
the mother has good cause for refusing to cooperate in establishing paternity as
provided in 42 USC 602 (a) (26) (B) and the federal regulations promulgated pursuant to this statute, as of July 1, 1981, and pursuant to any rules promulgated by the department which define good cause in accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B) in effect on July 1, 1981.

SECTION 2682. 767.47 (6) (b) of the statutes is amended to read:

767.47 (6) (b) Nothing in par. (a) prevents the state from bringing an action to determine paternity pursuant to an assignment under s. 48.57 (3m) (b) 2. or (3n) (b) 2., 49.19 (4) (h) 1., or 49.45 (19), or receipt of a stipend under s. 49.147 (3m) (g) or benefits or wages under s. 49.148, 49.155, or 49.157 or 49.159, where evidence other than the testimony of the mother may establish the paternity of the child.

SECTION 2683. 778.135 of the statutes is amended to read:

778.135 Campaign finance forfeitures; how recovered. Notwithstanding s. 778.13, whenever any action or proposed action by the elections board under s. 5.05 (1) (c) is settled as a result of agreement between the parties without approval of the court, the moneys accruing to the state on account of such settlement shall be paid to the board and deposited with the state treasurer secretary of administration. Whenever any proposed action by a county board of election commissioners under s. 7.21 (2m) (a) is settled as a result of agreement between the parties, the moneys accruing to the county on account of such settlement shall be paid to the board of election commissioners and deposited with the county treasurer in the same manner as provided for forfeitures under s. 778.13.

SECTION 2684. 778.136 of the statutes is amended to read:

778.136 Ethics and lobbying forfeitures; how recovered. Notwithstanding s. 778.13, whenever any moneys are received by the ethics board or attorney general in settlement of a civil action or other civil matter for violation
of the lobbying law or code of ethics for state public officials and employees under s. 19.545, the moneys shall accrue to the state and be deposited with the state treasurer secretary of administration.

SECTION 2685. 778.17 of the statutes is amended to read:

778.17 Statement to county board; payment to state. Every county treasurer shall, on the first day of the annual meeting of the county board, submit to it a verified statement of all moneys received by the county treasurer during the year next preceding from town, village, and city treasurers under this chapter, containing the names of such treasurers, the amount received from each, and the date of receipt. The county clerk shall deduct all expenses incurred by the county in recovering such forfeitures from the aggregate amount so received, and shall immediately certify to the county treasurer the amount of clear proceeds of such forfeitures, so ascertained, who shall pay the same to the state treasurer secretary of administration.

SECTION 2686. 779.41 (1m) of the statutes is amended to read:

779.41 (1m) Annually, on January 1, the department of agriculture, trade and consumer protection justice shall adjust the dollar amounts identified under sub. (1) (intro.), (a), (b) and (c) 1. to 4. by the annual change in the consumer price index, as determined under s. 16.004 (8) (e) 1., and publish the adjusted figures.

SECTION 2687. 779.93 (title) of the statutes is amended to read:

779.93 (title) Duties of the department of agriculture, trade and consumer protection justice.

SECTION 2688. 779.93 (1) of the statutes is amended to read:

779.93 (1) The department of agriculture, trade and consumer protection justice shall investigate violations of this subchapter and attempts to circumvent
this subchapter. The department of agriculture, trade and consumer protection justice may subpoena persons and records to facilitate its investigations, and may enforce compliance with such subpoenas as provided in s. 885.12.

SECTION 2689. 779.93 (2) (intro.) of the statutes is amended to read:

779.93 (2) (intro.) The department of agriculture, trade and consumer protection justice may in on behalf of the state or in on behalf of any person who holds a prepaid maintenance lien:

SECTION 2690. 809.25 (2) (a) 1. of the statutes is amended to read:

809.25 (2) (a) 1. For filing an appeal, cross–appeal, petition for review, petition to bypass, or other proceeding, $150 $195.

SECTION 2691. 812.42 (2) (c) of the statutes is amended to read:

812.42 (2) (c) In addition to the $15 garnishee fee, the garnishee shall receive a $3 fee for each payment delivered to the creditor under s. 812.39 after the first payment. That additional fee shall be deducted from the moneys delivered to the creditor. Those fees become part of the funds of the state if the department of administration is the garnishee, or funds of the appropriate governmental subdivision if any other governmental entity is the garnishee. The judgment creditor shall pay the initial garnishee fee to the treasurer of the state secretary of administration or other governmental subdivision, as applicable.

SECTION 2692. 813.16 (7) of the statutes is amended to read:

813.16 (7) If the person seeking the appointment of a receiver under sub. (1) is a savings and loan association or savings bank supervised by the division of banking or a corporation supervised by the division of savings institutions, home loan bank board, U.S. federal office of thrift supervision, federal deposit insurance corporation, or resolution trust corporation, the court, unless the opposing party
objects, shall appoint an officer of such corporation as receiver to act without
compensation and to give such bond as the court requires.

**SECTION 2692.** 813.31 (1) of the statutes is amended to read:

813.31 (1) In each case of termination of receivership as provided in s. 813.28, the court, except in cases where the proceedings have been certified to the proper court under s. 813.26 (1), shall set aside the sum there named and direct its payment by the receiver, to the state treasurer secretary of administration.

**SECTION 2693.** 813.31 (2) of the statutes is amended to read:

813.31 (2) The state treasurer secretary of administration shall retain or invest the funds thus paid in.

**SECTION 2694.** 813.31 (3) of the statutes is amended to read:

813.31 (3) If at any time thereafter an absentee whose estate has been distributed under a final finding and judgment made as herein provided shall appear and make claim for reimbursement, the court may in a proceeding by the claimant against the state treasurer secretary of administration order payment to the claimant as in its opinion may be fair and adequate under the circumstances.

**SECTION 2695.** 814.60 (1) of the statutes is amended to read:

814.60 (1) In a criminal action, the clerk of circuit court shall collect a fee of $20 for all necessary filing, entering, or recording, to be paid by the defendant when judgment is entered against the defendant. Of the fees received by the clerk of circuit court under this subsection, the county treasurer shall pay 50% to the state treasurer secretary of administration for deposit in the general fund and shall retain the balance for the use of the county.

**SECTION 2696.** 814.61 (1) (a) of the statutes is amended to read:
814.61 (1) (a) Except as provided under pars. (c), (d), (e), at the commencement of all civil actions and special proceedings not specified in ss. 814.62 to 814.66, $75. Of the fees received by the clerk under this paragraph, the county treasurer shall pay $45 to the state treasurer secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer secretary of administration shall credit $15 of the $45 to the appropriation under s. 20.680 (2) (j).

SECTION 2698. 814.61 (3) of the statutes is amended to read:

814.61 (3) THIRD-PARTY COMPLAINT. When any defendant files a 3rd-party complaint, the defendant shall pay a fee of $45. The defendant shall pay only one such $45 fee in an action. Of the fees received by the clerk under this subsection, the county treasurer shall pay $25 to the state treasurer secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer secretary of administration shall credit $5 of the $25 to the appropriation under s. 20.680 (2) (j).

SECTION 2699. 814.61 (7) (a) of the statutes is amended to read:

814.61 (7) (a) Except as provided in par. (b), upon the filing of any petition under s. 767.32 (1) or any motion, by either party, for the revision of a judgment or order in an action affecting the family, $30. No fee may be collected under this paragraph for any petition or motion by either party for the revision of a judgment or order involving child support, family support, or maintenance if both parties have stipulated to the revision of the judgment or order. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 50% to the state treasurer secretary of administration for deposit in the general fund and shall retain the balance for the use of the county.
**SECTION 2700.** 814.61 (7) (b) of the statutes is amended to read:

814.61 (7) (b) Upon the filing of any petition, motion, or order to show cause by either party under s. 767.325 or 767.327, $50. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 25% to the *state treasurer* secretory of administration for deposit in the general fund, retain 25% for the use of the county, and deposit 50% in a separate account to be used by the county exclusively for the purposes specified in s. 767.11.

**SECTION 2701.** 814.61 (8) (c) of the statutes is amended to read:

814.61 (8) (c) Of the fees received by the clerk under par. (am) 1., the county treasurer shall pay $22.50 to the *state treasurer* secretory of administration for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer secretory of administration shall credit $5 of the $22.50 to the appropriation under s. 20.680 (2) (j).

**SECTION 2702.** 814.61 (8) (d) of the statutes is amended to read:

814.61 (8) (d) Of the fees received by the clerk under par. (am) 2., the county treasurer shall pay $30 to the *state treasurer* secretory of administration for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer shall credit $5 of the $30 to the appropriation under s. 20.680 (2) (j).

**SECTION 2703.** 814.61 (13) of the statutes is amended to read:

814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services, whenever a person not receiving a *stipend* under s. 49.147 (3m) (g), benefits or wages under s. 49.148 or 49.155, or aid under s. 49.19, 49.46, 49.465, 49.468, or 49.47 files a petition requesting child support, maintenance, or family support payments, $10 in addition to any other fee required under this section. This subsection does not apply to a petition filed by the state or its delegate.
Section 2704. 814.62 (1) of the statutes is amended to read:

814.62 (1) GARNISHMENT ACTIONS. The fee for commencing a garnishment action under ch. 812, including actions under s. 799.01 (1) (d) 2., is $20. Of the fees received by the clerk under this subsection, the county treasurer shall pay $12.50 to the state treasurer secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer secretary of administration shall credit $5 of the $12.50 to the appropriation under s. 20.680 (2) (j).

Section 2705. 814.62 (3) (d) 2. of the statutes is amended to read:

814.62 (3) (d) 2. Of the fees received by the clerk under par. (a), the county treasurer shall pay $11.80 to the state treasurer secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer secretary of administration shall credit the $11.80 to the appropriation under s. 20.680 (2) (j).

Section 2706. 814.62 (3) (d) 3. of the statutes is amended to read:

814.62 (3) (d) 3. Of the fees received by the clerk under par. (b), the county treasurer shall pay $27.20 to the state treasurer secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer secretary of administration shall credit $10 of the $27.20 to the appropriation under s. 20.680 (2) (j).

Section 2707. 814.63 (5) of the statutes is amended to read:

814.63 (5) Of the fees received by the clerk under sub. (1) (b), the county treasurer shall pay $17.50 to the state treasurer secretary of administration for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer secretary of administration shall credit $5 of the $17.50 to the appropriation under s. 20.680 (2) (j).
Section 2708. 814.634 (1) (a) of the statutes is amended to read:

814.634 (1) (a) Except for an action for a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a $52 court support services fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

Section 2709. 814.634 (1) (b) of the statutes is amended to read:

814.634 (1) (b) Notwithstanding par. (a), the clerk of circuit court shall charge and collect a $130 court support services fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money and the amount claimed exceeds the amount under s. 799.01 (1) (d).

Section 2710. 814.634 (1) (c) of the statutes is amended to read:

814.634 (1) (c) Notwithstanding par. (a), the clerk of circuit court shall charge and collect a $39 court support services fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.62 (3) (a) or (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party paying the fee seeks the recovery of money and the amount claimed is equal to or less than the amount under s. 799.01 (1) (d).

Section 2711. 814.634 (2) of the statutes is amended to read:

814.634 (2) The clerk shall pay the moneys collected under sub. (1) to the county treasurer under s. 59.40 (2) (m). The county treasurer shall pay those moneys to the state treasurer secretary of administration under s. 59.25 (3) (p).

Section 2712. 814.635 (1m) of the statutes is amended to read:

814.635 (1m) Beginning on October 1, 1995, whenever the clerk of circuit court for Milwaukee County charges and collects a fee under sub. (1), he or she shall also
charge and collect a $2 $3.50 special prosecution clerks fee. The special prosecution clerks fee is in addition to the other fees listed in sub. (1).

Section 2713. 814.635 (2) of the statutes is amended to read:

814.635 (2) The clerk shall pay the moneys collected under subs. (1) and (1m) to the county treasurer under s. 59.40 (2) (m). The county treasurer shall pay those moneys to the state treasurer secretary of administration under s. 59.25 (3) (p).

Section 2714. 814.65 (1) of the statutes is amended to read:

814.65 (1) COURT COSTS. In a municipal court action, except an action for violation of an ordinance in conformity with s. 347.48 (2m), the municipal judge shall collect a fee of not less than $15 nor more than $23 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons, or the action is tried as a contested matter. Of each fee received by the judge under this subsection, the municipal treasurer shall pay monthly $5 to the state treasurer secretary of administration for deposit in the general fund and shall retain the balance for the use of the municipality.

Section 2715. 814.66 (3) of the statutes is amended to read:

814.66 (3) The register in probate shall, on the first Monday of each month, pay into the office of the county treasurer all fees collected by him or her and in his or her hands and still unclaimed as of that day. Each county treasurer shall make a report under oath to the state treasurer secretary of administration on or before the 5th day of January, April, July, and October of all fees received by him or her under sub. (1) (a) to (f) up to the first day of each of those months and shall at the same time pay 66.67% of the fees to the state treasurer secretary of administration for deposit in the general fund. Each county treasurer shall retain the balance of fees received by him or her under this section for the use of the county.
SECTION 2716. 885.235 (1g) (a) 1. of the statutes is renumbered 885.235 (1g)
     (a).

SECTION 2717. 885.235 (1g) (a) 2. of the statutes is repealed.

SECTION 2718. 885.235 (1g) (b) of the statutes is amended to read:
     885.235 (1g) (b) Except with respect to the operation of a commercial motor
     vehicle as provided in par. (d), the fact that the analysis shows that the person had
     an alcohol concentration of more than 0.04 but less than 0.1 0.08 is relevant evidence
     on the issue of intoxication or an alcohol concentration of 0.1 0.08 or more but is not
     to be given any prima facie effect.

SECTION 2719. 885.235 (1g) (bd) of the statutes is repealed.

SECTION 2720. 885.235 (1g) (c) of the statutes is amended to read:
     885.235 (1g) (c) The In cases involving persons who have 2 or fewer prior
     convictions, suspensions, or revocations, as counted under s. 343.307 (1), the fact
     that the analysis shows that the person had an alcohol concentration of 0.1 0.08 or
     more is prima facie evidence that he or she was under the influence of an intoxicant
     and is prima facie evidence that he or she had an alcohol concentration of 0.1 0.08
     or more.

SECTION 2721. 885.235 (1g) (cd) of the statutes is repealed.

SECTION 2722. 885.38 (2) of the statutes is amended to read:
     885.38 (2) The supreme court shall establish the procedures and policies for the
     recruitment, training, and certification of persons to act as qualified interpreters in
     a court proceeding and for the fees imposed for the training and certification, and for
     the coordination, discipline, retention, and training of those interpreters. Any fees
     collected under this subsection shall be credited to the appropriation under s. 20.680
     (2) (gc).
SECTION 2723. 885.38 (3) (a) (intro.) of the statutes is amended to read:

885.38 (3) (a) (intro.) In criminal proceedings and in proceedings under ch. 48, 51, 55, or 938, if the court determines that the person has limited English proficiency and that an interpreter is necessary, the court shall advise the person that he or she has the right to a qualified interpreter and that, if the person cannot afford one, an interpreter will be provided at the public's expense if the person is one of the following:

SECTION 2724. 893.965 of the statutes is created to read:

893.965 Housing, public accommodations, and employment discrimination; civil remedies. (1) HOUSING DISCRIMINATION. Any civil action arising under s. 106.50 (6m) is subject to the limitations of s. 106.50 (6m) (b).

(2) PUBLIC ACCOMMODATIONS DISCRIMINATION. Any civil action arising under s. 106.52 (4) (e) is subject to the limitations of s. 106.52 (4) (e) 2.

(3) EMPLOYMENT DISCRIMINATION. Any civil action arising under s. 111.40 is subject to the limitations of s. 111.40 (2).

SECTION 2725. 895.48 (1m) (intro.) of the statutes, as affected by 2001 Wisconsin Act 74, is amended to read:

895.48 (1m) (intro.) Any physician or athletic trainer licensed under ch. 448, chiropractor licensed under ch. 446, dentist licensed under ch. 447, emergency medical technician licensed under s. 146.50, first responder certified under s. 146.50 (8), physician assistant licensed under ch. 448, registered nurse licensed under ch. 441, or a massage therapist or bodyworker issued a certificate under ch. 460 who renders voluntary health care to a participant in an athletic event or contest sponsored by a nonprofit corporation, as defined in s. 46.93 (1m) (e) 66.0129 (6) (b), a private school, as defined in s. 115.001 (3r), a public agency, as defined in s. 46.93
(1m) (e) 46.856 (1) (b), or a school, as defined in s. 609.655 (1) (c), is immune from civil liability for his or her acts or omissions in rendering that care if all of the following conditions exist:

**SECTION 2726.** 895.65 (2) of the statutes is amended to read:

895.65 (2) An employee may bring an action in circuit court against his or her employer or employer’s agent, including this state, if the employer or employer’s agent retaliates, by engaging in a disciplinary action, against the employee because the employee exercised his or her rights under the first amendment to the U.S. constitution or article I, section 3, of the Wisconsin constitution by lawfully disclosing information or because the employer or employer’s agent believes the employee so exercised his or her rights. The employee shall bring the action within 2 years after the action allegedly occurred or after the employee learned of the action, whichever occurs last. No employee may bring an action against the department of employment relations as an employer’s agent.

**SECTION 2727.** 938.02 (15m) of the statutes is amended to read:

938.02 (15m) “Secured correctional facility” means a correctional institution operated or contracted for by the department of corrections or operated by the department of health and family services for holding in secure custody persons adjudged delinquent. “Secured correctional facility” includes the Mendota juvenile treatment center under s. 46.057, the facility at which the juvenile boot camp program under s. 938.532 is operated, and a facility authorized under s. 938.533 (3) (b), 938.538 (4) (b), or 938.539 (5).

**SECTION 2728.** 938.275 (2) (d) of the statutes is amended to read:

938.275 (2) (d) Reimbursement payments shall be made to the clerk of courts of the county where the proceedings took place. Each payment shall be transmitted
to the county treasurer, who shall deposit 25% of the amount paid for state-provided
counsel in the county treasury and transmit the remainder to the state treasurer
secretary of administration. Payments transmitted to the state treasurer secretary
of administration shall be deposited in the general fund and credited to the
appropriation account under s. 20.550 (1) (L). The county treasurer shall deposit
100% of the amount paid for county-provided counsel in the county treasury.

Section 2728. 938.34 (4n) (intro.) of the statutes is amended to read:

938.34 (4n) Aftercare Supervision. (intro.) Subject to s. 938.532 (3) and to any
arrangement between the department and a county department regarding the
provision of aftercare supervision for juveniles who have been released from a
secured correctional facility, a secured child caring institution, or a secured group
home, designate one of the following to provide aftercare supervision for the juvenile
following the juvenile’s release from the secured correctional facility, secured child
caring institution, or secured group home:

Section 2730. 938.34 (8d) (b) of the statutes is amended to read:

938.34 (8d) (b) The clerk of court shall collect and transmit the amount to the
county treasurer under s. 59.40 (2) (m). The county treasurer shall then make
payment to the state treasurer secretary of administration under s. 59.25 (3) (f) 2.

Section 2731. 938.34 (8d) (c) of the statutes is amended to read:

938.34 (8d) (c) If a juvenile placed in a secured correctional facility or a secured
child caring institution fails to pay the surcharge under par. (a), the department shall
assess and collect the amount owed from the juvenile’s wages or other moneys. If a
juvenile placed in a secured group home fails to pay the surcharge under par. (a), the
county department shall assess and collect the amount owed from the juvenile’s
wages or other moneys. Any amount collected shall be transmitted to the state treasurer secretary of administration.

**SECTION 2732.** 938.532 of the statutes is repealed.

**SECTION 2733.** 938.538 (6m) (b) of the statutes is amended to read:

938.538 (6m) (b) In the selection of classified service employees for a secured correctional facility authorized under 1993 Wisconsin Act 377, section 9108 (1) (a), the appointing authority shall make every effort to use the expanded certification program under s. 230.25 (1n) or rules of the administrator of the division of merit recruitment and selection in the department of employment relations administration to ensure that the percentage of employees who are minority group members approximates the percentage of the juveniles placed at that secured correctional facility who are minority group members. The administrator of the division of merit recruitment and selection in the department of employment relations administration shall provide guidelines for the administration of this selection procedure.

**SECTION 2734.** 940.09 (1) (bm) of the statutes is amended to read:

940.09 (1) (bm) Causes the death of another by the operation of a commercial motor vehicle while the person has an alcohol concentration of 0.04 or more but less than 0.1 0.08.

**SECTION 2735.** 940.09 (1) (e) of the statutes is amended to read:

940.09 (1) (e) Causes the death of an unborn child by the operation of a commercial motor vehicle while the person has an alcohol concentration of 0.04 or more but less than 0.1 0.08.

**SECTION 2736.** 940.25 (1) (bm) of the statutes is amended to read:
SECTIon 2736. 940.25 (1) (bm) Causes great bodily harm to another human being by the operation of a commercial motor vehicle while the person has an alcohol concentration of 0.04 or more but less than 0.1 0.08.

SECTIon 2737. 940.25 (1) (e) of the statutes is amended to read:

940.25 (1) (e) Causes great bodily harm to an unborn child by the operation of a commercial motor vehicle while the person has an alcohol concentration of 0.04 or more but less than 0.1 0.08.

SECTIon 2738. 945.06 of the statutes is amended to read:

945.06 Public utilities to cease service. When any public utility, common carrier, contract carrier, or railroad, subject to the jurisdiction of the public service commission, office of the commissioner of railroads or department of transportation of this state, is notified in writing by a federal, state or local law enforcement agency, acting within its jurisdiction, that any facility furnished by it is being used or will be used for the purpose of transmitting or receiving gambling information in violation of the laws of this state it shall discontinue or refuse the leasing, furnishing or maintaining of such facility, after reasonable notice to the subscriber, but no damages, penalty or forfeiture, civil or criminal, shall be found against any such public utility, common carrier, contract carrier or railroad, for any act done in compliance with any notice received from a law enforcement agency under this section. Nothing in this section shall be deemed to prejudice the right of any person affected thereby to secure an appropriate determination as otherwise provided by law in any court or tribunal or agency, that such facility should not be discontinued or removed, or should be restored.

SECTIon 2739. 949.02 of the statutes is amended to read:
949.02 **Administration.** The department shall administer this chapter. The department shall appoint a program director to assist in administering this chapter. The department shall promulgate rules for the implementation and operation of this chapter. The rules shall include procedures to ensure that any limitation of an award under s. 949.06 (5) (e) is calculated in a fair and equitable manner.

**SECTION 2740.** 949.06 (5) of the statutes is repealed.

**SECTION 2741.** 949.08 (2) (em) of the statutes is amended to read:

949.08 (2) (em) Is an adult passenger in the offender’s commercial motor vehicle and the crime involved is specified in s. 346.63 (6) or 940.25 and the passenger knew the offender was under the influence of an intoxicant, a controlled substance, a controlled substance analog or any combination of an intoxicant, controlled substance and controlled substance analog, or had an alcohol concentration of 0.04 or more but less than 0.1 0.08. This paragraph does not apply if the victim is also a victim of a crime specified in s. 940.30, 940.305, 940.31, or 948.30.

**SECTION 2742.** 949.15 (1) of the statutes is amended to read:

949.15 (1) Whenever the department orders the payment of an award under this chapter as a result of the occurrence of an event that creates a cause of action on the part of a claimant against any person, the department is subrogated to the rights of the claimant and may bring an action against the person for the amount of the damages sustained by the claimant. If an amount greater than that paid under the award order is recovered and collected in any such action, the department shall pay the balance to the claimant. If the person responsible for the injury or death has previously made restitution payments to the general fund under s. 973.20 (9) (b), any judgment obtained by the department under this section shall be reduced by the
amount of the restitution payments to the general fund that the person made under s. 973.20 (9) (b).

**SECTION 2742.** 961.01 (20g) of the statutes is amended to read:

961.01 (20g) “Public housing project” means any housing project or development administered by a housing authority, as defined in s. 16.30 560.9801 (2).

**SECTION 2743.** 961.41 (5) (b) of the statutes is amended to read:

961.41 (5) (b) The clerk of the court shall collect and transmit the amount to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2.

**SECTION 2744.** 961.41 (5) (c) of the statutes is amended to read:

961.41 (5) (c) All moneys collected from drug surcharges shall be deposited by the state treasurer secretary of administration in and utilized in accordance with s. 20.435 (6) (gb).

**SECTION 2745.** 967.03 of the statutes is repealed.

**SECTION 2746.** 971.14 (2) (am) of the statutes is amended to read:

971.14 (2) (am) Notwithstanding par. (a), if the court orders the defendant to be examined by the department or a department facility, the department shall determine where the examination will be conducted, who will conduct the examination and whether the examination will be conducted on an inpatient or outpatient basis. The department’s responsibility for conducting examinations is limited to inpatient examinations and those outpatient examinations that are for defendants in custody in jail or in a locked unit of a facility. Any such outpatient examination shall be conducted in a jail or a locked unit of a facility. In any case under this paragraph in which the department determines that an inpatient
examination is necessary, the 15-day period under par. (c) begins upon the arrival
of the defendant at the inpatient facility. If an outpatient examination is begun by
or through the department, and the department later determines that an inpatient
examination is necessary, the sheriff shall transport the defendant to the inpatient
facility designated by the department, unless the defendant has been released on
bail.

**SECTION 2748.** 972.15 (2b) of the statutes is created to read:

972.15 (2b) If the defendant is subject to being sentenced under s. 973.01 and
he or she satisfies the criteria under s. 302.05 (3) (a) 1., the person preparing the
presentence investigation report shall include in the report a recommendation as to
whether the defendant should be eligible to participate in the earned release
program under s. 302.05 (3).

**SECTION 2749.** 973.01 (3g) of the statutes is created to read:

973.01 (3g) Earned release program eligibility. When imposing a bifurcated
sentence under this section on a person convicted of a crime other than a crime
specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06, 948.07,
948.075, 948.08, or 948.095, the court shall, as part of the exercise of its sentencing
discretion, decide whether the person being sentenced is eligible or ineligible to
participate in the earned release program under s. 302.05 (3) during the term of
confinement in prison portion of the bifurcated sentence.

**SECTION 2750.** 973.01 (4) of the statutes is amended to read:

973.01 (4) No good time; extension or reduction of term of imprisonment. A
person sentenced to a bifurcated sentence under sub. (1) shall serve the term of
confinement in prison portion of the sentence without reduction for good behavior.
The term of confinement in prison portion is subject to extension under s. 302.113 (3)
and, if applicable, to reduction under s. 302.045 (3m), 302.05 (3) (c) 2. a., 302.113 (9g), or 973.195 (1r).

SECTION 2751. 973.01 (8) (ag) of the statutes is created to read:

973.01 (8) (ag) If the court provides under sub. (3g) that the person is eligible to participate in the earned release program under s. 302.05 (3), the court shall also inform the person of the provisions of s. 302.05 (3) (c).

SECTION 2752. 973.015 of the statutes is amended to read:

973.015 Misdemeanors, special disposition. (1) When a person is under the age of 21 at the time of the commission of an offense for which the person has been found guilty in a court for violation of a law for which the maximum penalty is imprisonment for one year or less in the county jail, the court may order at the time of sentencing that the record be expunged upon successful completion of the sentence if the court determines the person will benefit and society will not be harmed by this disposition. This subsection does not apply to information maintained by the department of transportation regarding a conviction that is required to be included in a record kept under s. 343.23 (2) (a).

SECTION 2753. 973.017 (title) of the statutes, as created by 2001 Wisconsin Act 109, is amended to read:

973.017 (title) Bifurcated sentences; use of guidelines; consideration of aggravating and mitigating factors.

SECTION 2754. 973.017 (1) of the statutes, as created by 2001 Wisconsin Act 109, is renumbered 973.017 (1) (intro.) and amended to read:

973.017 (1) Definition. (intro.) In this section, “sentencing decision” means the following:
(a) With respect to a crime for which the court may impose a bifurcated sentence under s. 973.01, a decision as to whether to impose a bifurcated sentence under s. 973.01 or place a person on probation and a decision as to the length of a bifurcated sentence, including the length of each component of the bifurcated sentence, the amount of a fine, and the length of a term of probation.

**SECTION 2755.** 973.017 (1) (b) of the statutes is created to read:

973.017 (1) (b) With respect to any other crime, a decision as to whether to impose a jail sentence or place a person on probation and a decision as to the length of a jail sentence, the amount of a fine, and the length of a term of probation.

**SECTION 2756.** 973.017 (2) (a) of the statutes, as created by 2001 Wisconsin Act 109, is renumbered 973.017 (2g) and amended to read:

973.017 (2g) **USE OF ADVISORY GUIDELINES.** If the offense is a felony **When a court makes a sentencing decision concerning a person convicted of a felony committed on or after February 1, 2003, the court shall consider the sentencing guidelines adopted by the sentencing commission under s. 973.30 or, if the sentencing commission has not adopted a guideline for the offense, any applicable temporary sentencing guideline adopted by the criminal penalties study committee created under 1997 Wisconsin Act 283. This subsection does not apply if the sentencing commission has adopted mandatory sentencing guidelines for the felony under s. 973.31.**

**SECTION 2757.** 973.017 (2r) of the statutes is created to read:

973.017 (2r) **USE OF MANDATORY GUIDELINES.** If the sentencing commission has adopted mandatory sentencing guidelines for a crime under s. 973.31, the court, when making a sentencing decision concerning a person convicted of that crime, shall impose a sentence of the kind and within the range described in the applicable sentencing guideline unless the court finds that there is an aggravating or mitigating
factor that warrants the imposition of a different kind of sentence or a sentence outside of the range described in the guideline.

**SECTION 2758.** 973.017 (10) of the statutes, as created by 2001 Wisconsin Act 109, is amended to read:

973.017 (10) **USE OF ADVISORY GUIDELINES; NO RIGHT TO OR BASIS FOR APPEAL.** The requirement under sub. (2) (a) (2g) that a court consider sentencing guidelines adopted by the sentencing commission or the criminal penalties study committee does not require a court to make a sentencing decision that is within any range or consistent with a recommendation specified in the guidelines, and there is no right to appeal a court’s sentencing decision based on the court’s decision to depart in any way from any guideline. This subsection does not apply to a sentencing decision that is made in connection with a crime for which the sentencing commission has adopted mandatory sentencing guidelines under s. 973.31.

**SECTION 2759.** 973.045 (2) of the statutes is amended to read:

973.045 (2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer secretary of administration under s. 59.25 (3) (f) 2.

**SECTION 2760.** 973.045 (3) (a) (intro.) of the statutes is amended to read:

973.045 (3) (a) (intro.) The clerk shall record the crime victim and witness surcharge in 2 parts. Part A is the portion that the state treasurer secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) and part B is the portion that the state treasurer secretary of administration shall credit to the appropriation account under s. 20.455 (5) (gc), as follows:

**SECTION 2761.** 973.045 (4) of the statutes is amended to read:
973.045 (4) If an inmate in a state prison or a person sentenced to a state prison
has not paid the crime victim and witness assistance surcharge under this section,
the department shall assess and collect the amount owed from the inmate’s wages
or other moneys. Any amount collected shall be transmitted to the state treasurer
secretary of administration.

SECTION 2762. 973.046 (2) of the statutes is amended to read:

973.046 (2) After the clerk of court determines the amount due, the clerk shall
collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The
county treasurer shall then make payment to the state treasurer secretary of
administration under s. 59.25 (3) (f) 2.

SECTION 2763. 973.046 (3) of the statutes is amended to read:

973.046 (3) All moneys collected from deoxyribonucleic acid analysis
surcharges shall be deposited by the state treasurer secretary of administration as
specified in s. 20.455 (2) (Lm) and utilized under s. 165.77.

SECTION 2764. 973.046 (4) of the statutes is amended to read:

973.046 (4) If an inmate in a state prison or a person sentenced to a state prison
has not paid the deoxyribonucleic acid analysis surcharge under this section, the
department shall assess and collect the amount owed from the inmate’s wages or
other moneys. Any amount collected shall be transmitted to the state treasurer
secretary of administration.

SECTION 2765. 973.055 (2) (a) of the statutes is amended to read:

973.055 (2) (a) If the assessment is imposed by a court of record, after the court
determines the amount due, the clerk of the court shall collect and transmit the
amount to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer
shall then make payment to the state treasurer secretary of administration as provided in s. 59.25 (3) (f) 2.

SECTION 2766. 973.055 (2) (b) of the statutes is amended to read:

973.055 (2) (b) If the assessment is imposed by a municipal court, after a determination by the court of the amount due, the court shall collect and transmit the amount to the treasurer of the county, city, town, or village, and that treasurer shall make payment to the state treasurer secretary of administration as provided in s. 66.0114 (1) (bm).

SECTION 2767. 973.055 (3) of the statutes is amended to read:

973.055 (3) All moneys collected from domestic abuse assessments shall be deposited by the state treasurer secretary of administration in s. 20.435 (3) (hh) and utilized in accordance with s. 46.95.

SECTION 2768. 973.09 (3) (bm) 1. of the statutes is amended to read:

973.09 (3) (bm) 1. At least 90 days before the expiration date of a probationer’s period of probation, the department may notify the sentencing court and the district attorney that a probationer owes unpaid fees to the department under s. 304.073 or 304.074.

SECTION 2769. 973.09 (3) (bm) 3. of the statutes is amended to read:

973.09 (3) (bm) 3. At a probation review hearing under subd. 2., the department has the burden of proving that the probationer owes unpaid fees under s. 304.073 or 304.074 and the amount of the unpaid fees. If the department proves by a preponderance of the evidence that the probationer owes unpaid fees under s. 304.073 or 304.074, the court may, by order, extend the period of probation for a stated period or modify the terms and conditions of probation.

SECTION 2770. 973.09 (3) (c) 1. of the statutes is amended to read:
973.09 (3) (c) 1. The probationer has not made a good faith effort to discharge court-ordered payment obligations or to pay fees owed under s. 304.073 or 304.074.

SECTION 2771. 973.11 (1) (intro.) of the statutes is amended to read:

973.11 (1) PLACEMENTS. (intro.) If a person is convicted of or pleads guilty or no contest to one or more misdemeanors for which mandatory periods of imprisonment are not required, if the chief judge of the judicial administrative district has approved a volunteers in probation program established in the applicable county, and if the court decides that volunteer supervision under the program will likely benefit the person and the community and subject to the limitations under sub. (3), the court may withhold sentence or judgment of conviction and order that the person be placed with that volunteers in probation program. A person’s participation in the program may not be used to conceal, withhold, or mask information regarding the judgment of conviction if the conviction is required to be included in a record kept under s. 343.23 (2) (a). Except as provided in sub. (3), the order shall provide any conditions that the court determines are reasonable and appropriate and may include, but need not be limited to, one or more of the following:

SECTION 2772. 973.20 (9) (b) of the statutes is amended to read:

973.20 (9) (b) When a court orders a defendant to pay restitution is ordered under this section, the court shall inquire to see if an award has been made under ch. 949 and if the department of justice is subrogated to the cause of action under s. 949.15. If the restitution defendant is ordered to pay restitution in an amount that is less than or equal to the award under ch. 949, the defendant shall pay the restitution shall be paid only to the general fund department of justice and the restitution payments shall be credited to the appropriation account under s. 20.455 (5) (hm). If the restitution defendant is ordered to pay restitution in an amount that
is greater than the award under ch. 949, the general fund shall receive defendant
shall pay the department of justice an amount equal to the award under ch. 949,
which amount shall be credited to the appropriation account under s. 20.455 (5) (hm),
and the defendant shall pay the balance shall be paid to the victim.

SECTION 2773. 973.30 (1) (c) of the statutes is amended to read:

973.30 (1) (c) Adopt and, as necessary, update advisory sentencing guidelines
for felonies committed on or after July 30, 2002, to promote public safety in a
cost-effective manner, to reflect changes promote consistency in sentencing
practices, and to preserve the integrity of the criminal justice and correctional
systems.

SECTION 2774. 973.30 (1) (cm) of the statutes is created to read:

973.30 (1) (cm) Develop advisory guidelines regarding the appropriate use of
alternatives to incarceration.

SECTION 2775. 973.31 of the statutes is created to read:

973.31 Mandatory sentencing guidelines. (1) In this section,“commission” means the sentencing commission.

(2) If the commission determines in the report required under 2003 Wisconsin
Act .... (this act), section 9110 (1) that temporary sentencing guidelines adopted by
the criminal penalties study committee created under 1997 Wisconsin Act 283 are
not adequately promoting the objectives listed in s. 973.30 (1) (c), the commission
shall adopt mandatory guidelines for sentencing decisions, as defined in s. 973.017
(1), for felonies and misdemeanors for which a court may impose a bifurcated
sentence.

(3) When adopting a mandatory sentencing guideline for a crime, the
commission, subject to sub. (4), shall assign suggested ranges of punishment to
promote the objectives listed in s. 973.30 (1) (c). The ranges of punishment shall be based upon the combination of offense and defendant characteristics in each case. The commission may also include any of the following as part of a mandatory sentencing guideline:

(a) Conditions of extended supervision or probation to be imposed.

(b) The length of a term of imprisonment to be imposed if, after the court withholds a sentence and places a defendant on probation, the court revokes probation.

(c) Whether penalties should be imposed concurrently or consecutively if the defendant is convicted of more than one crime.

(4) The commission may not adopt a mandatory sentencing guideline for a crime that calls for a range of punishment that conflicts with any provision of the statutes relating to penalties for that crime.

(5) In general, in developing mandatory sentencing guidelines, the commission shall begin with crimes that result in the greatest number of bifurcated sentences being imposed. In general, the commission shall develop mandatory sentencing guidelines for Class G to I felonies, unclassified felonies, and misdemeanors for which a court may impose a bifurcated sentence before developing them for Class B to F felonies. Beginning with the crimes that are committed most frequently, the commission shall develop mandatory sentencing guidelines for crimes based on the frequency with which they are committed.

Section 2776. 977.01 of the statutes is renumbered 977.01 (intro.) and amended to read:

977.01 Definitions. (intro.) In this chapter, unless the context requires otherwise, “board”:


(1) “Board” means the public defender board.

SECTION 2776. 977.01 (2) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

977.01 (2) “Public assistance” means relief provided by counties under s. 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, medical assistance under subch. IV of ch. 49, low-income energy assistance under s. 16.385 16.27, weatherization assistance under s. 16.39 16.26, and the food stamp program under 7 USC 2011 to 2029.

SECTION 2777. 977.06 (1) (a) of the statutes is amended to read:

977.06 (1) (a) Verify the information necessary to determine indigency under s. 977.07 (2). The information provided by a person seeking assigned counsel that is subject to verification shall include any social security numbers provided on an application under sub. (1m), income records, value of assets, eligibility for public assistance, as defined in s. 106.215 (1) (fm), and claims of expenses.

SECTION 2778. 978.001 (1c) of the statutes is created to read:

978.001 (1c) “Assignable prosecutor” means an attorney employed by the state prosecutors board whom the board may assign to a prosecutorial unit under s. 978.14 (1) (d).

SECTION 2780. 978.03 (1) of the statutes is amended to read:

978.03 (1) The district attorney of any prosecutorial unit having a population of 500,000 or more may appoint 5 deputy district attorneys and such assistant district attorneys as may be requested by the department of administration and authorized in accordance with s. 16.505. The district attorney shall rank the deputy district attorneys for purposes of carrying out duties under this section. The deputies, according to rank, may perform any duty of the district attorney who...
appointed him or her, under the district attorney’s direction, or any duty of the
district attorney to whose prosecutorial unit he or she is assigned by the state
prosecutors board under s. 978.14 (1) (c). In the absence or disability of the district
attorney, the deputies, according to rank, may perform any act required by law to be
performed by the district attorney. Any such deputy must have practiced law in this
state for at least 2 years prior to appointment under this section.

SECTION 2781. 978.03 (1m) of the statutes is amended to read:

978.03 (1m) The district attorney of any prosecutorial unit having a population
of 200,000 or more but not more than 499,999 may appoint 3 deputy district
attorneys and such assistant district attorneys as may be requested by the
department of administration and authorized in accordance with s. 16.505. The
district attorney shall rank the deputy district attorneys for purposes of carrying out
duties under this section. The deputies, according to rank, may perform any duty
of the district attorney who appointed him or her, under the district attorney’s
direction, or any duty of the district attorney to whose prosecutorial unit he or she
is assigned by the state prosecutors board under s. 978.14 (1) (c). In the absence or
disability of the district attorney, the deputies, according to rank, may perform any
act required by law to be performed by the district attorney. Any such deputy must
have practiced law in this state for at least 2 years prior to appointment under this
section.

SECTION 2782. 978.03 (2) of the statutes is amended to read:

978.03 (2) The district attorney of any prosecutorial unit having a population
of 100,000 or more but not more than 199,999 may appoint one deputy district
attorney and such assistant district attorneys as may be requested by the
department of administration and authorized in accordance with s. 16.505. The
1 deputy may perform any duty of the district attorney who appointed him or her, 
2 under the district attorney’s direction, or any duty of the district attorney to whose 
3 prosecutorial unit he or she is assigned by the state prosecutors board under s. 978.14 
4 (1) (c). In the absence or disability of the district attorney, the deputy may perform 
5 any act required by law to be performed by the district attorney. The deputy must 
6 have practiced law in this state for at least 2 years prior to appointment under this 
7 section.

**SECTION 2783.** 978.03 (3) of the statutes is amended to read:

978.03 (3) Any assistant district attorney under sub. (1), (1m) or (2) must be 
an attorney admitted to practice law in this state and, except as provided in ss. 
978.043 and 978.044, may exercise any power of, or perform any duty required by law 
to be performed by, the district attorney—The appointing him or her or a district 
attorney to whose prosecutorial unit he or she is assigned by the state prosecutors 
board under s. 978.14 (1) (c). In consultation with the state prosecutors board, the 
district attorney of the prosecutorial unit under sub. (1), (1m), or (2) may appoint 
such temporary counsel as may be authorized by the department of administration.

**SECTION 2784.** 978.04 of the statutes is amended to read:

978.04 **Assistants in certain prosecutorial units.** The district attorney of 
any prosecutorial unit having a population of less than 100,000 may appoint one or 
more assistant district attorneys as necessary to carry out the duties of his or her 
office and as may be requested by the department of administration authorized in 
accordance with s. 16.505. Any such assistant district attorney must be an attorney 
admitted to practice law in this state and, except as provided in s. 978.043, may 
exercise any power of, or perform any duty required by law to be performed by, the
district attorney appointing him or her or a district attorney to whose prosecutorial
unit he or she is assigned by the state prosecutors board under s. 978.14 (1) (c).

SECTION 2785. 978.043 of the statutes is amended to read:

978.043 Assistants for prosecution of sexually violent person
commitment cases. The district attorney of the prosecutorial unit that consists of
Brown County and the district attorney of the prosecutorial unit that consists of
Milwaukee County shall each assign one assistant district attorney in his or her
prosecutorial unit to be a sexually violent person commitment prosecutor. An
assistant district attorney assigned under this section to be a sexually violent person
commitment prosecutor may engage only in the prosecution of sexually violent
person commitment proceedings under ch. 980 and, at the request of the district
attorney of the prosecutorial unit as permitted or required under rules adopted by
the state prosecutors board under s. 978.14 (1) (c), may file and prosecute sexually
violent person commitment proceedings under ch. 980 in any prosecutorial unit in
this state.

SECTION 2786. 978.044 (2) (b) of the statutes is amended to read:

978.044 (2) (b) Provide assistance to the district attorney in other counties
relating to the establishment of restorative justice programs, as described in par. (a)
as permitted or required under rules adopted by the state prosecutors board under
s. 978.14 (1) (c).

SECTION 2787. 978.045 (1g) of the statutes is amended to read:

978.045 (1g) A court on its own motion may appoint a special prosecutor under
sub. (1r) or a district attorney may request a court to appoint a special prosecutor
under that subsection. Before a court appoints a special prosecutor on its own motion
or at the request of a district attorney for an appointment that exceeds 6 hours per
case, the court or, subject to any applicable rule issued under s. 978.14 (1) (c), the district attorney shall request do all of the following:

1. Request assistance from a district attorney, deputy district attorney, or assistant district attorney from other prosecutorial units or an assistant attorney general. A district attorney requesting the appointment of a special prosecutor, or a court if the court is appointing a special prosecutor on its own motion, shall notify the department of administration

2. Notify the state prosecutors board, on a form provided by the department board, of the district attorney’s or the court’s inability basis for the proposed appointment and the efforts to obtain assistance from another prosecutorial unit or from an assistant attorney general.

SECTION 2788. 978.046 of the statutes is created to read:

978.046 Assignable prosecutors. An assignable prosecutor who has been assigned to a prosecutorial unit may exercise any power of, or perform any duty required by law to be performed by, the district attorney of the prosecutorial unit.

SECTION 2789. 978.05 (1) of the statutes is amended to read:

978.05 (1) CRIMINAL ACTIONS. Except as otherwise provided by law, prosecute all criminal actions before any court within his or her prosecutorial unit. In determining whether to prosecute a case, the district attorney shall consider the guidelines adopted by the state prosecutors board under s. 978.14 (1) (b). The district attorney, however, is not bound by those guidelines, and there is no right to appeal based on a prosecutor’s decision to depart in any way from any guideline.

SECTION 2790. 978.05 (8) (b) of the statutes is amended to read:

978.05 (8) (b) Hire, employ, and supervise his or her staff and assignable prosecutors assigned to his or her prosecutorial unit under s. 978.14 (1) (d) and,
subject to ss. 978.043 and 978.044, make appropriate assignments of the staff and
assignable prosecutors throughout the prosecutorial unit. The district attorney may
request the assistance of district attorneys, deputy district attorneys, or assistant
district attorneys from other prosecutorial units, subject to any rules promulgated
under s. 978.14 (1) (c), or assistant attorneys general, who then may appear and
assist in the investigation and prosecution of any matter for which a district attorney
is responsible under this chapter in like manner as assistants in the prosecutorial
unit and with the same authority as the district attorney in the unit in which the
action is brought. Nothing in this paragraph limits the authority of counties to
regulate the hiring, employment, and supervision of county employees.

SECTION 2791. 978.06 (1) of the statutes is amended to read:

978.06 (1) No district attorney, deputy district attorney or, assistant district
attorney, or assignable prosecutor may receive any fee or reward from or on behalf
of any prosecutor or any other individual for services in any prosecution or business
to which it is the district attorney’s official duty to attend.

SECTION 2792. 978.06 (2) of the statutes is amended to read:

978.06 (2) No district attorney, deputy district attorney or, assistant district
attorney, or assignable prosecutor may be concerned as attorney or counsel for either
party, other than for the state or county, in any civil action depending upon the same
state of facts upon which any criminal prosecution commenced but undetermined
depends.

SECTION 2793. 978.06 (3) (a) of the statutes is amended to read:

978.06 (3) (a) No district attorney, deputy district attorney or, assistant district
attorney, or assignable prosecutor while in office may hold any judicial office. No
assignable prosecutor and no full-time district attorney, deputy district attorney, or
assistant district attorney may hold the office of or act as corporation counsel or city, village, or town attorney. A part-time district attorney, deputy district attorney, or assistant district attorney may hold the office of or act as corporation counsel or city, village, or town attorney or otherwise serve as legal counsel to any governmental unit.

SECTION 2794. 978.06 (4) of the statutes is amended to read:

978.06 (4) No person who acted as district attorney, deputy district attorney or assistant district attorney, or assignable prosecutor, or special prosecutor under s. 978.045, for a county at the time of an arrest, examination, or indictment of any person charged with a crime in that county may thereafter appear for, or defend that person against the crime charged in the complaint, information, or indictment.

SECTION 2795. 978.06 (5) (a) of the statutes is amended to read:

978.06 (5) (a) No full-time district attorney, deputy district attorney, or assistant district attorney may engage in a private practice of law, but he or she is authorized to complete all civil cases, not in conflict with the interest of the county or counties of his or her prosecutorial unit, in which he or she is counsel, pending in court before he or she takes office. No assignable prosecutor may engage in a private practice of law. A part-time district attorney, deputy district attorney, or assistant district attorney may engage in a private practice of law.

SECTION 2796. 978.12 (title) of the statutes is amended to read:

978.12 (title) Salaries Prosecutor salaries and benefits of district attorney and state employees in office of district attorney.

SECTION 2797. 978.12 (1) (c) of the statutes is amended to read:

978.12 (1) (c) Assistant district attorneys and assignable prosecutors. Assistant district attorneys and assignable prosecutors shall be employed outside the
classified service. For purposes of salary administration, the secretary of employment relations shall establish one or more classifications for assistant district attorneys and assignable prosecutors in accordance with the classification or classifications allocated to assistant attorneys general. Except as provided in s. 111.93 (3), the salaries of assistant district attorneys and assignable prosecutors shall be established and adjusted in accordance with the state compensation plan for assistant attorneys general whose positions are allocated to the classification or classifications established by the secretary of employment relations.

**SECTION 2798.** 978.12 (1) (c) of the statutes, as affected by 2003 Wisconsin Act .... (this act), is amended to read:

978.12 (1) (c) **Assistant district attorneys and assignable prosecutors.** Assistant district attorneys and assignable prosecutors shall be employed outside the classified service. For purposes of salary administration, the secretary of employment relations shall establish one or more classifications for assistant district attorneys and assignable prosecutors in accordance with the classification or classifications allocated to assistant attorneys general. Except as provided in s. 111.93 (3), the salaries of assistant district attorneys and assignable prosecutors shall be established and adjusted in accordance with the state compensation plan for assistant attorneys general whose positions are allocated to the classification or classifications established by the secretary of employment relations.

**SECTION 2799.** 978.12 (4) of the statutes is amended to read:

978.12 (4) **Annual leave.** Annual leave for the district attorney is governed by s. 230.35 (1r). Annual leave for other state employees of the office of district attorney shall be accrued at the rate provided in s. 230.35 using the employee’s state service
computed under sub. (2). Annual leave shall be earned on a calendar year basis prorated from the effective date of the employee’s transfer for the balance of the calendar year. This subsection does not apply to assignable prosecutors.

SECTION 2800. 978.12 (5) (c) 1. of the statutes is amended to read:

978.12 (5) (c) 1. The salaries authorized under this section for the district attorney and the state employees of the office of district attorney shall be paid by the state treasurer secretary of administration to the county treasurer pursuant to a voucher submitted by the district attorney to the department of administration. The county treasurer shall pay the amounts directly to the district attorney and state employees of the office of district attorney and the amounts paid shall be subject to the retirement system established under chapter 201, laws of 1937.

SECTION 2801. 978.12 (5) (d) of the statutes is created to read:

978.12 (5) (d) Applicability. This subsection does not apply to assignable prosecutors.

SECTION 2802. 978.13 (1) (b) of the statutes, as affected by 2001 Wisconsin Act 109, is amended to read:

978.13 (1) (b) In counties having a population of 500,000 or more, the salary and fringe benefit costs of 2 clerk positions providing clerical services to the prosecutors in the district attorney’s office handling cases involving felony violations under ch. 961. The state treasurer secretary of administration shall pay the amount authorized under this subsection to the county treasurer pursuant to a voucher submitted by the district attorney to the department of administration from the appropriation under s. 20.475 (1) (i).

SECTION 2803. 978.13 (1) (c) of the statutes, as affected by 2001 Wisconsin Act 109, is amended to read:
978.13 (1) (c) In counties having a population of 500,000 or more, the salary and
fringe benefit costs of clerk positions in the district attorney’s office necessary for the
prosecution of violent crime cases primarily involving felony violations under s.
939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,
940.06, 940.225, 943.23 (1g), and 943.32 (2). The secretary of administration shall pay the amount authorized under this subsection to the county
treasurer pursuant to a voucher submitted by the district attorney to the secretary
of administration from the appropriation under s. 20.475 (1) (i).

SECTION 2804. 978.13 (1) (d) of the statutes, as affected by 2001 Wisconsin Act
109, is amended to read:

978.13 (1) (d) In counties having a population of 500,000 or more, the salary
and fringe benefit costs of 2 clerk positions providing clerical services to the
prosecutors in the district attorney’s office handling cases involving the unlawful
possession or use of firearms. The secretary of administration shall pay the amount authorized under this subsection to the county treasurer from the
appropriation under s. 20.475 (1) (f) pursuant to a voucher submitted by the district
attorney to the department of administration.

SECTION 2805. 978.14 of the statutes is created to read:

978.14 State prosecutors board. (1) The state prosecutors board shall do
all of the following:

(b) Adopt advisory guidelines or standards for district attorneys to use in
determining when criminal cases should be prosecuted or diverted to
nonprosecutorial programs.
(c) Promulgate and administer rules regarding the temporary assignment of
district attorneys and deputy and assistant district attorneys from one prosecutorial
unit to another.

(d) Hire and assign assignable prosecutors to prosecutorial units as and for as
long as it sees fit.

(e) Supervise the office within the department of administration that is
responsible for providing personnel, budget, and other types of management
assistance to district attorney offices.

(2) Subject to authorization under s. 16.505, the state prosecutors board may
hire staff to assist it in the performance of its duties.

SECTION 2806. 1997 Wisconsin Act 4, section 4 (1) (title) is repealed.

SECTION 2807. 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 2001
Wisconsin Act 16, section 4035, is renumbered 301.16 (1u) of the statutes and
amended to read:

301.16 (1u) Notwithstanding 1995 Wisconsin Act 27, section 9126 (23) and
(26v), the department of corrections may, from July 1, 1997, until July 1, 2003, shall
operate the secured correctional facility, as defined in s. 938.02 (15m) of the statutes,
authorized under 1995 Wisconsin Act 27, section 9126 (26v), as a state prison named
in section 302.01 of the statutes, as affected by this act, for the placement of
prisoners, as defined in section 301.01 (2) of the statutes, who are not more than 21
years of age and who are not violent offenders, as determined by the department of
corrections.

SECTION 2808. 1997 Wisconsin Act 4, section 4 (1) (b) is repealed.

SECTION 2809. 1997 Wisconsin Act 27, section 9101 (11m) is amended to read:
[1997 Wisconsin Act 27] Section 9101 (11m)  **REPORT BY LAND INFORMATION BOARD AND WISCONSIN LAND COUNCIL.** No later than September 1, 2002, the land information board and Wisconsin land council shall report to the legislature in the manner provided under section 13.172 (2) of the statutes and to the governor concerning the issue of continuation of their functions, including the feasibility of combination of their functions.

**SECTION 2810.** 1997 Wisconsin Act 27, section 9111 (2u) is repealed.

**SECTION 2811.** 1997 Wisconsin Act 27, section 9456 (3m), as last affected by 2001 Wisconsin Act 16, is amended to read:

[1997 Wisconsin Act 27] Section 9456 (3m)  **ELIMINATION OF LAND INFORMATION BOARD AND WISCONSIN LAND COUNCIL.** The treatment of sections 15.07 (1) (b) 16., 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), 20.505 (1) (ka) (by SECTION 669am), 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1) (e), 36.25 (12m) (intro.), 59.72 (1) (a) and (b), (3) (intro.), (a) and (b) and (5) and 92.10 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2) and (4), 16.967, 20.505 (1) (ie), (ig), (ij) and (ks), 23.32 (2) (d), 59.43 (1) (u) and 59.72 (1) (am), (3) (c) and (4) of the statutes and SECTION 9101 (1) of this act take effect on September 1, 2003.

**SECTION 2812.** 1999 Wisconsin Act 9, section 9401 (2zt) is amended to read:

[1999 Wisconsin Act 9] Section 9401 (2zt)  **WISCONSIN LAND COUNCIL.** The treatment of section 20.505 (1) (ka) (by SECTION 519) of the statutes takes effect on September 1, 2003.

**SECTION 2813.** 1999 Wisconsin Act 9, section 9401 (2zu) is amended to read:

[1999 Wisconsin Act 9] Section 9401 (2zu)  **SOIL SURVEYS AND MAPPING.** The repeal of sections 16.967 (11) and 20.505 (1) (ik) and of the statutes, the treatment of sections 15.01 (4) (by SECTION 12n) and 227.01 (1) (by SECTION 2353n) of the
statutes and the repeal of section 16.965 (3) and (5) of the statutes take effect on
September 1, 2003 2005.

SECTION 2814. 2001 Wisconsin Act 16, section 9152 (5y) is amended to read:

[2001 Wisconsin Act 16] Section 9152 (5y)  REQUEST ON WEST CANAL STREET
RECONSTRUCTION AND EXTENSION PROJECT FUNDING. A request for additional funds in
the 2003–05 fiscal biennium to complete the West Canal Street reconstruction and
extension project specified under section 84.03 (3) of the statutes, as created by this
act, shall require the city of Milwaukee to make a matching contribution to the
amount of the grant to be awarded.

SECTION 9101. Nonstatutory provisions; administration.

(1) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal and program
revenue moneys appropriated to the department of administration for the office of
justice assistance under section 20.505 (6) (kp) and (p) of the statutes, the
department of administration shall expend $90,600 in fiscal year 2003–04 and
$95,900 in fiscal year 2004–05 to provide the multijurisdictional enforcement group
serving Dane County with funding for one assistant district attorney to prosecute
criminal violations of chapter 961 of the statutes.

(2) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and
program revenue moneys appropriated to the department of administration for the
office of justice assistance under section 20.505 (6) (kp) and (p) of the statutes, the
department of administration shall expend $286,300 in fiscal year 2003–04 and
$294,900 in fiscal year 2004–05 to provide the multijurisdictional enforcement group
serving Milwaukee County with funding for 3 assistant district attorneys to
prosecute criminal violations of chapter 961 of the statutes.
(3) **State prosecutors board; initial terms.** Notwithstanding section 15.105 (6) (b) 1. of the statutes, as created by this act, the first 4 members of the state prosecutors board shall be appointed for 2-year terms, subject to section 15.105 (6) (b) 2. of the statutes, as created by this act.

(4) **Transfer of housing operations transitional provisions.**

(a) **Assets and liabilities.** On the effective date of this paragraph, the assets and liabilities of the department of administration primarily related to the administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385 and 16.39, 2001 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of commerce.

(b) **Position and employee transfers.** All incumbent employees holding positions in the department of administration performing duties primarily related to the administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385 and 16.39, 2001 stats., as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of commerce.

(c) **Employee status.** Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of commerce that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) **Tangible personal property.** On the effective date of this paragraph, all tangible personal property, including records, of the department of administration that is primarily related to the administration of subchapter II of chapter 16, 2001 stats., as determined by the secretary of administration, shall become the tangible personal property and records of the department of commerce.
stats., other than sections 16.385 and 16.39, 2001 stats., as determined by the secretary of administration, is transferred to the department of commerce.

(e) Contracts. All contracts entered into by the department of administration in effect on the effective date of this paragraph that are primarily related to the administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385 and 16.39, 2001 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of commerce. The department of commerce shall carry out any obligations under such a contract until the contract is modified, rescinded by the department of commerce to the extent allowed under the contract, or expires.

(f) Rules and orders. All rules promulgated by the department of administration in effect on the effective date of this paragraph that are primarily related to the administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385 and 16.39, 2001 stats., remain in effect until their specified expiration date or until amended or repealed by the department of commerce. Any orders issued by the department of administration or the division of housing in the department of administration that are in effect on the effective date of this paragraph and that are primarily related to the administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385 and 16.39, 2001 stats., remain in effect until their specified expiration date or until modified or rescinded by the department of commerce.

(g) Pending matters. Any matter pending with the department of administration or the division of housing in the department of administration that is primarily related to the administration of subchapter II of chapter 16, 2001 stats., other than sections 16.385 and 16.39, 2001 stats., is transferred to the department
of commerce and all materials submitted to or actions taken by the department of
administration or the division of housing in the department of administration with
respect to such a matter are considered as having been submitted to or taken by the
department of commerce.

(5) **HIGHER EDUCATIONAL AIDS.** The authorized FTE positions for the department
of administration, funded from the appropriation under section 20.505 (1) (a) of the
statutes, as affected by this act, are increased by 2.0 GPR positions on the effective
date of this subsection for the purpose of assisting the Board of Regents of the
University of Wisconsin System in administering higher educational aids under
subchapter III of chapter 39 of the statutes, as affected by this act.

(6) **SALE OR LEASE OF CERTAIN STATE PROPERTY.**

(a) Except as provided in paragraph (b), no later than July 1, 2004, the
secretary of administration shall review all holdings of state-owned real and
personal property for potential sale or lease.

(b) Paragraph (a) does not apply to any facility or institution the closure or sale
of which is not authorized by law.

(7) **POSITION TRANSFER; EMPLOYEE STATUS.** The incumbent employee holding the
position specified in **SECTION 9159 (8)** is transferred on July 1, 2003, to the
department of administration and has all the rights and the same status under
subchapter V of chapter 111 and chapter 230 of the statutes in the department of
administration that he or she enjoyed in the department of workforce development
immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
no employee so transferred who has attained permanent status in class is required
to serve a probationary period.

(8) **ESTIMATE OF MEDICAL ASSISTANCE TRUST FUND REVENUE.**
(a) **Estimate for fiscal year 2003–04.** Before January 1, 2004, the secretary of administration shall estimate the total amount that will be deposited into the Medical Assistance trust fund for state fiscal year 2003–04 that will exceed $550,000,000.

(b) **Estimate for fiscal year 2004–05.** Before January 1, 2005, the secretary of administration shall estimate the total amount that will be deposited into the Medical Assistance trust fund for state fiscal year 2004–05 that will exceed $80,000,000.

9 **STATE AGENCY PAYMENTS RELATING TO UNFUNDED PRIOR SERVICE LIABILITY UNDER THE WISCONSIN RETIREMENT SYSTEM.**

(a) The definitions in section 20.001 of the statutes are applicable in this subsection, except that “state agency” does not include the department of employee trust funds or the investment board.

(b) If obligations are issued under section 16.526 or 16.527 of the statutes, or both, during the 2003–05 fiscal biennium, the secretary of administration shall determine for each state agency the amount that the agency would have been required to expend under section 40.05 (2) (b) of the statutes during the 2003–05 fiscal biennium had the obligations not been issued, and from each appropriation from which the moneys would have been expended.

(c) From each sum certain appropriation of general purpose revenue identified in paragraph (b), the secretary of administration shall lapse to the general fund the amount specified in paragraph (b) that would otherwise have been expended from each of the appropriations. The secretary of administration shall make the lapse on the day on which the state agency would have been required to make the expenditure. After the secretary of administration makes the lapse, each of the sum
(d) For each sum sufficient appropriation of general purpose revenue identified in paragraph (b), the expenditure estimate for the appropriation during the 2003–05 fiscal biennium is reestimated to subtract the amount specified in paragraph (b) for that appropriation.

(e) 1. Except as provided in subdivision 2., from each appropriation of program revenues or program revenues–service identified in paragraph (b), the secretary of administration shall lapse to the general fund the amount specified in paragraph (b) that would otherwise have been expended from each of the appropriations. The secretary of administration shall make the lapse on the day on which the state agency would have been required to make the expenditure. After the secretary of administration makes the lapse, each of the sum certain program revenues or program revenues–service appropriations is decreased by the amount specified in paragraph (b) for that appropriation.

2. From each appropriation of federal revenues, the secretary of administration shall determine the amount that is lapsed to the general fund.

(f) 1. Except as provided in subdivision 2., from each appropriation of segregated fund revenues or segregated fund revenues — service identified in paragraph (b), the secretary of administration shall lapse to the underlying fund the amount specified in paragraph (b) that would otherwise have been expended from each of the appropriations. The secretary of administration shall make the lapse on the day on which the state agency would have been required to make the expenditure. After the secretary of administration makes the lapse, each of the sum certain segregated revenues or segregated revenues — service appropriations is
decreased by the amount specified in paragraph (b) for that appropriation, and the expenditure estimate for each of the appropriations that are not sum certain appropriations is reestimated to subtract the amount specified in paragraph (b) for that appropriation. The secretary of administration shall then transfer the lapsed amounts and an amount equal to the amount subtracted from the estimates to the general fund.

2. From each appropriation of segregated federal revenues, the secretary of administration shall determine the amount that is transferred to the general fund.

(10) **TRANSITIONAL FUNDING OF HOUSING OPERATIONS.** Notwithstanding the requirement under section 20.001 (3) (a) of the statutes that annual appropriations are expendable only up to the amount shown in the schedule and only for the fiscal year for which made, and notwithstanding the requirement under section 20.001 (3) (b) of the statutes that biennial appropriations are expendable only up to the total amount shown in the schedule for both years and only for the biennium for which made, during the period that begins on the effective date of this subsection and ends on the 30th day after the effective date of this subsection, the annual and biennial appropriations to the department of administration under section 20.505 (7) of the statutes provided for the 2002–03 fiscal year shall remain in effect until the 30th day after the effective date of this subsection, except that, for the annual appropriations, the department of administration may not expend or encumber more than one–twelfth of the amounts appropriated for the 2002–03 fiscal year from each such appropriation and, for the biennial appropriations, the department of administration may not expend or encumber more than one–twelfth of the amounts shown in the schedule for the 2002–03 fiscal year from each such appropriation.
SECTION 9102. Nonstatutory provisions; adolescent pregnancy prevention and pregnancy services board.

SECTION 9103. Nonstatutory provisions; aging and long-term care board.

SECTION 9104. Nonstatutory provisions; agriculture, trade and consumer protection.

(1) Transfer of consumer protection functions.

(a) Assets and liabilities. All assets and liabilities of the department of agriculture, trade and consumer protection that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act shall become the assets and liabilities of the department of justice. The departments of justice and agriculture, trade and consumer protection shall jointly determine these assets and liabilities and shall jointly develop and implement a plan for their orderly transfer. In the event of any disagreement between the departments, the secretary of administration shall resolve the disagreement.

(b) Employee transfers. The departments of justice and agriculture, trade and consumer protection shall jointly determine which positions that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act shall be transferred to the department of justice. In the event of any disagreement between the departments, the secretary of administration shall resolve the disagreement. The positions determined to be transferred under this paragraph, and the incumbent employees in those positions, shall be transferred to the department of justice.
(c) **Employee status.** Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of justice that they enjoyed in the department of agriculture, trade and consumer protection immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) **Supplies and equipment.** All tangible personal property, including records, of the department of agriculture, trade and consumer protection that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act are transferred to the department of justice. The departments of justice and agriculture, trade and consumer protection shall jointly identify the tangible personal property, including records, and shall jointly develop and implement a plan for their orderly transfer. In the event of any disagreement between the departments, the secretary of administration shall resolve the disagreement.

(e) **Pending matters.** Any matter pending with the department of agriculture, trade and consumer protection that is primarily related to a consumer protection program or function that is being transferred to the department of justice under this act is being transferred to the department of justice. All materials submitted to or actions taken by the department of agriculture, trade and consumer protection with respect to the pending matter are considered as having been submitted to or taken by the department of justice.

(f) **Contracts.** All contracts entered into by the department of agriculture, trade and consumer protection or by the department of justice that are primarily related to consumer protection programs or functions that are being transferred to the
department of justice under this act, and that are in effect on the effective date of this paragraph, remain in effect and those contracts entered into by the department of agriculture, trade and consumer protection are transferred to the department of justice. The departments of justice and agriculture, trade and consumer protection shall jointly identify these contracts and shall jointly develop and implement a plan for their orderly transfer. In the event of any disagreement between the departments, the secretary of administration shall resolve the disagreement. The department of justice shall carry out the obligations under these contracts until the obligations are modified or rescinded by the department of justice to the extent allowed under the contract.

(g) Rules and orders. All rules promulgated by the department of agriculture, trade and consumer protection that are in effect on the effective date of this paragraph and that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act remain in effect until their specified expiration date or until amended or repealed by the department of justice. All orders issued by the department of agriculture, trade and consumer protection that are in effect on the effective date of this paragraph and that are primarily related to consumer protection programs or functions that are being transferred to the department of justice under this act remain in effect until their specified expiration date or until modified or rescinded by the department of justice.

(2) Name change. Wherever “agriculture, trade and consumer protection” appears in the following sections of the statutes, as affected by this act, “agriculture, trade, and rural resources” is substituted: 15.05 (1) (d), 15.07 (5) (d), 15.105 (12) (a) 1. and (16) (b) 1., 15.107 (16) (b) 2., 15.13, 15.135 (4) (am) and (b) 1., 15.137 (1) (a)
(intro.) and (b) and (5) (intro.), (a), and (b) 1., 15.155 (4) (a) 1., 15.347 (13) (b) 3. and
18 (b) 3., 15.405 (5g), 15.445 (2) (e) and (4) (a) 6., 15.915 (1) (b) 1. and (2) (a), 16.023
1 (g) (intro.), 16.045 (3), 16.967 (6), 20.115 (intro.), 20.866 (2) (we) and (wf), 20.923
4 (f) 2., 23.235 (3m), 25.463, 26.30 (2) and (5), 26.36, 27.019 (3) and (12), 29.424 (2)
(b), 29.705 (4) (b), 29.875 (2), 30.12 (4m) (a) and (b), 30.20 (1) (d), 30.46 (1) (a) and (2),
31.02 (7m), 32.035 (1) (a), 36.25 (7) and (11) (c), 36.58 (2) (a) 3. and (c), (3) (b), and (5),
41.41 (4) (c) and (5) (e), 42.10, 59.70 (17) (a), 61.72, 66.0217 (9) (b), 66.0307 (4) (a) 1.,
66.0417 (1), 69.66, 84.01 (17), 86.19 (1m), 88.11 (1) (intro.), (1m), (3) (intro.), (4) (5)
(intro.), (6), and (7), 88.13, 88.15, 88.19 (4) (a) (intro.) and (d), 88.21 (5), 88.24 (intro.),
88.32 (3m), 88.35 (7), 88.77 (2), 91.01 (3), 92.03 (3), 92.14 (6) (d) and (m) and (14m),
92.15 (3), chapter 93 (title), 93.01 (3) and (15), 93.09 (6), 93.135 (2), 93.20 (1), 93.75
9 (3m) (b), (c), and (d), 94.72 (1) (d), 94.73 (2m) (b), (c), and (e), (4) (b), and (9), 95.22 (1)
and (3), 95.45 (4) (b), 95.55 (5) (a) and (c), 97.01 (4), 97.24 (3), 97.41 (1m), 98.04, 101.58
2 (i), 101.586, 126.01 (8), 134.71 (12), 146.60 (1) (c), (2) (b), (3) (c) 1. and 2., and (5),
160.01 (7), 165.065 (2), 169.01 (7) and (35) (a), 169.03, 169.04 (2) (d) and (3) (a), 169.06
1 (d) 1., 169.11 (1) (a) (intro.), 169.38 (title), 169.42 (1) (i), 173.01 (1), 174.001 (2),
174.11 (1) and (2), 182.01 (6), 196.857 (1g) (e), 227.14 (1s), 230.08 (2) (e) 2., 234.02 (1),
235.02 (2) (c), 235.04 (6), 254.02 (3) (a), 254.51 (2), 254.52 (2) (intro.), 254.58, 254.64
1 (d), 254.69 (2) (am), 281.16 (3) (a) (intro.), (b), (c), and (e), 281.20 (1) (a) and (3) (c)
and (d) 3., 281.65 (3) (f), (3m) (a) 1. and (b) 1., (4) (as), (dr), (e), (g) (intro.), 2., and 4.,
(i), (L), (o), (p), and (pm), (4e) (am) 2., (4m) (c) and (d), (5) (intro.), (5m), (7) (a) 2., (11),
and (12), 281.67, 281.695 (5), 281.75 (1) (e) 1., 287.11 (2s) (a) and (b), 292.11 (2) (d)
and (9) (d) 1. d., 292.33 (6), 299.11 (2) and (5) (a), 348.01 (2) (am), 348.15 (5) (intro.),
348.17 (4) (a) and (b) (intro.), 348.27 (11m) (a), 440.92 (7), 560.03 (1) and (18), 560.07
(6), 560.17 (7) (am), 560.92 (1), 562.02 (2) (fm), 710.02 (4) (a) (intro.), 823.08 (3) (c) 1., 885.01 (4), 895.57 (3), 943.75 (3), and 943.76 (3) (c).

(3) Membership of the board of agriculture, trade and consumer protection. Notwithstanding section 15.13 of the statutes, as affected by this act, any member of the board of agriculture, trade and consumer protection who is serving on the board of agriculture, trade and consumer protection as a consumer representative on the day before the effective date of this subsection shall be entitled to continue to serve as a member of the board under section 15.13 of the statutes, as affected by this act, until his or her successor is appointed and qualified.

(4) Milk certification. The authorized FTE positions for the department of agriculture, trade and consumer protection are increased by 4.8 PR positions on the effective date of this subsection, to be funded from the appropriation under section 20.115 (1) (gb) of the statutes, for the purpose of performing milk certification.

SECTION 9105. Nonstatutory provisions; arts board.

SECTION 9106. Nonstatutory provisions; building commission.

SECTION 9107. Nonstatutory provisions; child abuse and neglect prevention board.

SECTION 9108. Nonstatutory provisions; circuit courts.

SECTION 9109. Nonstatutory provisions; commerce.

SECTION 9110. Nonstatutory provisions; corrections.

(1) Report regarding temporary sentencing guidelines. No later than January 1, 2004, the sentencing commission shall analyze whether the temporary sentencing guidelines adopted by the criminal penalties study committee created under 1997 Wisconsin Act 283 are adequately promoting the objectives listed in
section 973.30 (1) (c) of the statutes, as affected by this act, and submit a report to
the governor, the legislature, and the supreme court explaining its conclusions.

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SECTION 9111. Nonstatutory provisions; court of appeals.

SECTION 9112. Nonstatutory provisions; district attorneys.

SECTION 9113. Nonstatutory provisions; educational communications
board.

SECTION 9114. Nonstatutory provisions; elections board.

SECTION 9115. Nonstatutory provisions; electronic government.

(1) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT.

(a) Assets and liabilities. Except as provided in SECTION 9215 (1) of this act, on
the effective date of this paragraph, the assets and liabilities of the department of
electronic government shall become assets and liabilities of the department of
administration.

(b) Positions and employees.

1. On the effective date of this subdivision, all full−time equivalent positions
in the department of electronic government, except the positions occupied by the
secretary, the deputy secretary, the executive assistant, and 2 division administrator
positions determined by the secretary of administration, are transferred to the
department of administration.

2. All incumbent employees holding positions that are transferred under
subdivision 1. are transferred on the effective date of this subdivision to the
department of administration.

3. Employees transferred under subdivision 2. have all of the rights and the
same status under subch. V of ch. 111 and chapter 230 of the statutes in the
department of administration that they enjoyed in the department of electronic
government immediately before the transfer. Notwithstanding section 230.28 (4) of
the statutes, no employee so transferred who has attained permanent status in class
is required to serve a probationary period.

(c) **Tangible personal property.** On the effective date of this paragraph, all
tangible personal property, including records, of the department of electronic
government is transferred to the department of administration.

(d) **Contracts.** All contracts entered into by the department of electronic
government that are in effect on the effective date of this paragraph remain in effect
and are transferred to the department of administration. The department of
administration shall carry out any contractual obligations under such a contract
until the contract is modified or rescinded by the department of administration to the
extent allowed under the contract.

(e) **Rules and orders.** All rules promulgated by the department of electronic
government that are in effect on the effective date of this paragraph remain in effect
until their specified expiration dates or until amended or repealed by the department
of administration. All orders issued by the department of electronic government that
are in effect on the effective date of this paragraph remain in effect until their
specified expiration dates or until modified or rescinded by the department of
administration.

(f) **Pending matters.** Any matter pending with the department of electronic
government on the effective date of this paragraph is transferred to the department
of administration, and all materials submitted to or actions taken by the department
of electronic government with respect to the pending matter are considered as having
been submitted to or taken by the department of administration.
(2) **Funding of operations and programs at the Department of Electronic Government.** Notwithstanding the requirement under section 20.001 (3) (a) of the statutes that annual appropriations are expendable only up to the amount shown in the schedule and only for the fiscal year for which made, during the period that begins on the effective date of this subsection and ends on the 30th day after the effective date of this subsection, the annual appropriations to the Department of Electronic Government under section 20.530 of the statutes provided for the 2002–03 fiscal year shall remain in effect until the 30th day after the effective date of this subsection, except that the Department of Electronic Government may not expend or encumber more than one-twelfth of the amounts appropriated for the 2002–03 fiscal year from each appropriation.

**SECTION 9116.** Nonstatutory provisions; employee trust funds.

**SECTION 9117.** Nonstatutory provisions; employment relations commission.

**SECTION 9118.** Nonstatutory provisions; employment relations department.

(1) **Transfer of functions of the Department of Employment Relations to the Department of Administration.**

(a) **Assets and liabilities.** On the effective date of this paragraph, all assets and liabilities of the Department of Employment Relations shall become the assets and liabilities of the Department of Administration.

(b) **Tangible personal property.** On the effective date of this paragraph, all tangible personal property, including records, of the Department of Employment Relations is transferred to the Department of Administration.
(c) **Contracts.** All contracts entered into by the department of employment relations that are in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(d) **Employee transfers and status.** On the effective date of this paragraph, all incumbent employees holding classified positions in the department of employment relations are transferred to the department of administration. Employees transferred under this paragraph have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in the department of employment relations immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class may be required to serve a probationary period.

(e) **Rules and orders.** All rules promulgated by the department of employment relations that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the department of employment relations that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

(f) **Pending matters.** Any matter pending with the department of employment relations on the effective date of this paragraph is transferred to the department of administration and all materials submitted to or actions taken by the department
of employment relations with respect to the pending matter are considered as having
been submitted to or taken by the department of administration.

(2) Funding of operations and programs at the department of employment
relations. Notwithstanding the requirement under section 20.001 (3) (a) of the
statutes that annual appropriations are expendable only up to the amount shown in
the schedule and only for the fiscal year for which made, during the period that
begins on the effective date of this subsection and ends on the 30th day after the
effective date of this subsection, the annual appropriations to the department of
employment relations under section 20.512 of the statutes provided for the 2002–03
fiscal year shall remain in effect until the 30th day after the effective date of this
subsection, except that the department of employment relations may not expend or
encumber more than one-twelfth of the amounts appropriated for the 2002–03 fiscal
year from each appropriation.

Section 9119. Nonstatutory provisions; ethics board.

Section 9120. Nonstatutory provisions; financial institutions.

(1) Limited liability company annual reports. Notwithstanding section
183.0120 (3) of the statutes, as affected by this act, a domestic limited liability
company in existence on the effective date of this subsection shall deliver its initial
annual report under section 183.0120 of the statutes to the department of financial
institutions during the first calendar quarter of 2004.

(2) Review board transitional provisions.

(a) Current members of savings bank review board and savings and loan review
board. Notwithstanding section 15.07 (1) (c) of the statutes and section 15.185 (3)
and (4), 2001 stats., the terms of office of all members of the savings bank review
board and all members of the savings and loan review board terminate on the effective date of this paragraph.

(b) **Initial members of savings institutions review board.** Notwithstanding section 15.185 (3) of the statutes, as affected by this act, the terms of office of the members initially appointed to the savings institutions review board terminate as follows:

1. Two members, on May 1, 2007.
2. Three members, on May 1, 2009.

(c) **Rules and orders.** All rules promulgated by the division of savings institutions that are in effect on the effective date of this paragraph shall become rules of the division of banking and shall remain in effect until their specified expiration dates or until amended or repealed by the division of banking. All orders issued by the division of savings institutions that are in effect on the effective date of this paragraph shall become orders of the division of banking and shall remain in effect until their specified expiration dates or until modified or rescinded by the division of banking.

(d) **Contracts.** All contracts entered into by the division of savings institutions in effect on the effective date of this paragraph remain in effect and are transferred to the division of banking. The division of banking shall carry out any obligations under such a contract until the contract expires or is modified or rescinded by the division of banking to the extent allowed under the contract.

(e) **Pending matters.** Any matter pending with the division of savings institutions on the effective date of this paragraph is transferred to the division of banking and all materials submitted to or actions taken by the division of savings
institutions with respect to the pending matter are considered as having been
submitted to or taken by the division of banking.

**SECTION 9120.** Nonstatutory provisions; Fox River Navigational
System Authority.

**SECTION 9121.** Nonstatutory provisions; governor.

**SECTION 9122.** Nonstatutory provisions; Health and Educational
Facilities Authority.

**SECTION 9123.** Nonstatutory provisions; health and family services.

(1) **TRANSFER OF CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT**

system. No later than March 1, 2004, the department of health and family services
and the department of workforce development shall submit a proposal to the
secretary of administration for expenditure and position authority necessary to
transfer, effective July 1, 2004, agreed upon administrative functions related to the
client assistance for reemployment and economic support system from the
department of workforce development to the department of health and family
services. If the secretary of administration finds that the proposal would increase
the costs of administering the client assistance for reemployment and economic
support system, the secretary shall disapprove the plan, and the department of
health and family services and the department of workforce development shall
resubmit a proposal to the secretary of administration for consideration in the
2005–07 biennial budget bill. If the secretary of administration finds that the
proposal would not increase the costs of administering the client assistance for
reemployment and economic support system and approves the plan, the secretary
shall submit the proposal to the cochairpersons of the joint committee on finance.

If the cochairpersons of the committee do not notify the secretary of administration
within 14 working days after receiving the proposal that the cochairpersons have
scheduled a meeting for the purpose of reviewing the proposal, the secretary of
administration shall approve the proposed expenditure and position authority, as
authorized under current law. If, within 14 working days after receiving the proposal
the cochairpersons notify the secretary of administration that the cochairpersons
have scheduled a meeting for the purpose of reviewing the proposal, the secretary of
administration may not approve the proposed expenditure and position authority,
except as approved by the committee and as authorized under current law.

(2) Mental health and alcohol or other drug abuse managed care
demonstration projects.

(a) From the appropriation under section 20.435 (6) (jm) of the statutes, as
affected by this act, the department of health and family services shall expend
$362,100 in state fiscal year 2003−04 and $224,600 in state fiscal year 2004−05 to
contract with counties to provide up to 6 demonstration projects. The demonstration
projects shall be to provide mental health and alcohol or other drug abuse services
under managed care programs to persons who suffer from mental illness, alcohol or
other drug dependency, or both mental illness and alcohol or other drug dependency.

(b) The department of health and family services shall submit for approval by
the secretary of the federal department of health and human services any requests
for waiver of federal medical assistance laws that are necessary to secure federal
financial participation for the managed care demonstration projects under this
subsection. Regardless of whether a waiver is approved, the department of health
and family services may contract for the provision of the managed care
demonstration projects under this subsection.

(3) Assessment of facility licensed beds; revised rules.
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(a) The department of health and family services shall submit in proposed form a revision of rules required under section 50.14 (5) (b) of the statutes to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 4th month beginning after the effective date of this paragraph.

(b) Using the procedure under section 227.24 of the statutes, the department of health and family services may promulgate as emergency rules a revision of rules required under section 50.14 (5) (b) of the statutes for the period before the effective date of the revised rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of health and family services is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

(4) MEDICAL ASSISTANCE MANAGED CARE WAIVER REQUEST. By January 1, 2004, the department of health and family services shall request from the secretary of the federal department of health and human services, under 42 USC 1396n (c), any waivers of federal Medical Assistance Program laws necessary to authorize the department of health and family services to require that those recipients of Medical Assistance who are eligible for the Supplemental Security Income Program under 42 USC 1382 to 1383f enroll for services in managed care plans, including recipients who are in a geographic service region that contains no more than a single managed care organization as service provider.

(5) TRANSFER OF GRADE A DAIRY OPERATIONS CERTIFICATION.
(a) **Assets and liabilities.** On the effective date of this paragraph, the assets and liabilities of the department of health and family services primarily related to the certification of grade A dairy operations, as determined by the secretary of administration, shall become the assets and liabilities of the department of agriculture, trade and consumer protection.

(b) **Employee transfers.** All positions and all incumbent employees holding those positions in the department of health and family services performing duties primarily related to the certification of grade A dairy operations, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of agriculture, trade and consumer protection.

(c) **Employee status.** Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of agriculture, trade and consumer protection that they enjoyed in the department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) **Tangible personal property.** On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family services that is primarily related to the certification of grade A dairy operations, as determined by the secretary of administration, is transferred to the department of agriculture, trade and consumer protection.

(e) **Contracts.** All contracts entered into by the department of health and family services in effect on the effective date of this paragraph that are primarily related to the certification of grade A dairy operations, as determined by the secretary of
administration, remain in effect and are transferred to the department of agriculture, trade and consumer protection. The department of agriculture, trade and consumer protection shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of agriculture, trade and consumer protection to the extent allowed under the contract.

(f) Pending matters. Any matter pending with the department of health and family services on the effective date of this paragraph that is primarily related to the certification of grade A dairy operations is transferred to the department of agriculture, trade and consumer protection and all materials submitted to or actions taken by the department of health and family services with respect to the pending matter are considered as having been submitted to or taken by the department of agriculture, trade and consumer protection.

(6) Milk certification. The authorized FTE positions for the department of health and family services, funded from the appropriation under section 20.435 (1) (a) of the statutes for the purpose of performing milk certification, are decreased by 4.8 GPR positions on the effective date of this subsection.

(7) Feasibility of Family Care expansion; report. The secretary of health and family services shall assess the feasibility of expanding, under section 46.281 (1) (e) of the statutes, the Family Care Program to include 2 counties in addition to the counties or other entities participating in the program on the effective date of this subsection. By July 1, 2004, the secretary of health and family services shall report to the secretary of administration and the governor concerning the feasibility and whether the expansion should be included as part of the biennial budget bill for the 2005–07 fiscal biennium.
(8) County department and local health department operating deficit reduction.

(a) If an amendment to the state medical assistance plan that provides for a revised payment methodology for medical assistance services that are provided by a local government is approved by the federal center for medicare and medicaid services before July 1, 2005, no county department under section 46.215, 46.22, 46.23, or 51.42 of the statutes and no local health department, as defined in section 250.01 (4) of the statutes, may receive a distribution of an allocation under section 49.45 (6t) of the statutes, as affected by this act.

(b) If paragraph (a) applies, any county department or local health department that has received distribution of an allocation under section 49.45 (6t) of the statutes, as affected by this act, for any year after 2002 shall, upon demand by the department of health and family services, return to the department of health and family services all those moneys so distributed.

(9) Advisory committee on human services and social services; report.

(a) The secretary of health and family services shall, under section 15.04 (1) (c) of the statutes, appoint an advisory committee to develop recommendations concerning restructuring the system under which publicly administered human services and social services programs are funded. The advisory committee shall consist of all of the following:

1. Consumers of human services and social services and family members of consumers.

2. Human services and social services advocacy organizations.

3. Representatives of county governments and associations.
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1. Representatives of human services and social services provider organizations.
2. State residents.
3. The advisory committee under paragraph (a) shall consider all of the following goals in developing its recommendations:
4. Achieving greater equity and consistency of human services and social services access across the state.
5. Affirming a human services and social services system that is publicly administered at the local level.
6. Fostering human services and social services consumer-directed care.
7. Enhancing accountability for effective, efficient delivery of human services and social services within available resources.
8. By October 1, 2004, the secretary of health and family services shall submit to the appropriate standing committees of the legislature, in the manner provided under section 13.72 (3) of the statutes, and to the governor a report that specifies the considerations and recommendations of the advisory committee appointed under paragraph (a).

SECTION 9125. Nonstatutory provisions; higher educational aids board.

1. Transfer of duties to Board of Regents.
2. Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the higher educational aids board shall become the assets and liabilities of the Board of Regents of the University of Wisconsin System.
3. Positions and employees.
1. The authorized FTE positions for the higher educational aids board, funded from the appropriation under section 20.235 (2) (aa), 2001 stats., are decreased by 2.0 GPR positions on the effective date of this subdivision for the purpose of eliminating that board.

2. The authorized FTE positions for the higher educational aids board, funded from the appropriation under section 20.235 (2) (aa), 2001 stats., are decreased by 1.36 GPR positions on the effective date of this subdivision for the purpose of eliminating that board.

3. The authorized FTE positions for the higher educational aids board, funded from the appropriation under section 20.235 (2) (qb), 2001 stats., are decreased by 0.64 SEG position on the effective date of this subdivision for the purpose of eliminating that board.

4. On the effective date of this subdivision, all incumbent employees holding the positions specified in subdivision 2. are transferred to the department of administration.

5. On the effective date of this subdivision, all incumbent employees holding the positions specified in subdivisions 2. and 3. are transferred to the Board of Regents of the University of Wisconsin System.

(c) Employee status. Employees transferred under paragraph (b) 4. and 5. have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration and the Board of Regents of the University of Wisconsin System that they enjoyed in the higher educational aids board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no transferred employee who has attained permanent status in class is required to serve a probationary period.
(d) **Tangible personal property.** On the effective date of this paragraph, all tangible personal property, including records, of the higher educational aids board is transferred to the Board of Regents of the University of Wisconsin System.

(e) **Contracts.** All contracts entered into by the higher educational aids board in effect on the effective date of this paragraph remain in effect and are transferred to the Board of Regents of the University of Wisconsin System. The Board of Regents of the University of Wisconsin System shall carry out any such contractual obligations until modified or rescinded by that board to the extent allowed under the contract.

(f) **Rules and orders.** All rules promulgated by the higher educational aids board that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the Board of Regents of the University of Wisconsin System. All orders issued by the higher educational aids board that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the Board of Regents of the University of Wisconsin System.

(g) **Pending matters.** Any matter pending with the higher educational aids board on the effective date of this paragraph is transferred to the Board of Regents of the University of Wisconsin System and all materials submitted to or actions taken by the higher educational aids board with respect to the pending matter are considered as having been submitted to or taken by the Board of Regents of the University of Wisconsin System.

**SECTION 9126. Nonstatutory provisions; historical society.**

**SECTION 9127. Nonstatutory provisions; Housing and Economic Development Authority.**
SECTION 9128. Nonstatutory provisions; insurance.

SECTION 9129. Nonstatutory provisions; investment board.

SECTION 9130. Nonstatutory provisions; joint committee on finance.

SECTION 9131. Nonstatutory provisions; judicial commission.

SECTION 9132. Nonstatutory provisions; justice.

(1) Transfer of county-tribal law enforcement grant program.

(a) Positions and employees.

1. On the effective date of this subdivision, all full-time equivalent positions in the department of justice having duties primarily related to the department’s county-tribal law enforcement grant program, as determined by the secretary of administration, are transferred to the office of justice assistance.

2. All incumbent employees holding positions specified in subdivision 1. are transferred on the effective date of this subdivision to the office of justice assistance.

3. Employees transferred under subdivision 2. have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the office of justice assistance that they enjoyed in the department of justice immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(b) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of justice primarily related to the department’s county-tribal law enforcement grant program, as determined by the secretary of administration, shall become the assets and liabilities of the office of justice assistance.
(c) **Tangible personal property.** On the effective date of this paragraph, all tangible personal property, including records, of the department of justice that is primarily related to the department’s county–tribal law enforcement grant program, as determined by the secretary of administration, is transferred to the office of justice assistance.

(d) **Contracts.** All contracts entered into by the department of justice in effect on the effective date of this paragraph that are primarily related to the department’s county–tribal law enforcement grant program, as determined by the secretary of administration, remain in effect and are transferred to the office of justice assistance. The office of justice assistance shall carry out any obligations under such a contract until the contract is modified or rescinded by the office of justice assistance to the extent allowed under the contract.

(e) **Rules and orders.** All rules promulgated by the department of justice primarily related to the department’s county–tribal law enforcement grant program that are in effect on the effective date of this paragraph shall become rules of the office of justice assistance and shall remain in effect until their specified expiration dates or until amended or repealed by the office of justice assistance. All orders issued by the department of justice primarily related to the department’s county–tribal law enforcement grant program that are in effect on the effective date of this paragraph shall become orders of the office of justice assistance and shall remain in effect until their specified expiration dates or until modified or rescinded by the office of justice assistance.

(f) **Pending matters.** Any matter pending with the department of justice on the effective date of this paragraph that is primarily related to the department’s county–tribal law enforcement grant program, as determined by the secretary of
administration, is transferred to the office of justice assistance, and all materials
submitted to or actions taken by the department of justice with respect to the pending
matter are considered as having been submitted to or taken by the office of justice
assistance.

**SECTION 9133. Nonstatutory provisions; legislature.**

(1) **Funding of authorized positions for the legislature and legislative**
service agencies during the 2003-05 fiscal biennium. Notwithstanding section
16.505 (4) of the statutes, all authorized positions for the legislature and for each
legislative service agency, as defined in section 16.70 (6) of the statutes, that are
funded from an appropriation under section 20.765 (1), (2), (3) (a) to (fa), or (4) of the
statutes, as affected by this act, shall be funded from the appropriation under section
20.765 (5) of the statutes, as created by this act, before the effective date of the
biennial budget act for the 2005-07 fiscal biennium.

(2) **Allocation of appropriated funds by the joint committee on legislative**
organization. Before the effective date of the biennial budget act for the 2005-07
fiscal biennium, the joint committee on legislative organization shall allocate
moneys from the appropriation under section 20.765 (5) (a) of the statutes, as created
by this act, to be used for the purposes provided in the appropriations under section
20.765 (1), (2), (3) (a) to (fa), and (4) of the statutes, as affected by this act.

(3) **Continuation of existing expenditure authority.** Notwithstanding
subsection (2), if on the effective date of this subsection the joint committee on
legislative organization has not acted to fully allocate for expenditure the moneys
shown in the schedule under section 20.005 (3) of the statutes for the appropriation
under section 20.765 (5) (a) of the statutes, as created by this act, the officers who
were permitted to authorize expenditures to be made from the appropriations under
section 20.765 (1), (2), (3) (a) to (fa), and (4) of the statutes, as affected by this act, on
the day before the effective date of this subsection may, during the period prior to the
effective date of the 2005–07 biennial budget act, continue to authorize expenditures
to be made for the same purposes for which they were previously authorized from the
appropriation under section 20.765 (5) (a) of the statutes, as created by this act, until
such time as the joint committee on legislative organization acts under subsection
(2). Unless otherwise determined by the joint committee on legislative organization
under subsection (2), no expenditures authorized under this subsection may exceed
90% of the amounts shown for the 2001–03 fiscal biennium for the appropriation to
which the expenditures were previously charged, as published in the schedule under
section 20.005 (3) of the statutes in the 2001–02 Wisconsin Statutes.

SECTION 9134. Nonstatutory provisions; lieutenant governor.

SECTION 9135. Nonstatutory provisions; lower Wisconsin state
riverway board.

SECTION 9136. Nonstatutory provisions; Medical College of Wisconsin.

SECTION 9137. Nonstatutory provisions; military affairs.

SECTION 9138. Nonstatutory provisions; natural resources.

(1) BROWNFIELDS GRANT RULES. The department of natural resources may use
the procedure under section 227.24 of the statutes to promulgate rules under section
292.74 (3) of the statutes, as created by this act, for the period before the effective date
of the permanent rules, but not to exceed the period authorized under section 227.24
(1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3)
of the statutes, the department is not required to provide evidence that promulgating
a rule under this subsection as an emergency rule is necessary for the preservation
of the public peace, health, safety, or welfare and is not required to provide a finding
of emergency for a rule promulgated under this subsection.

(2) **Outstanding Brownfields Grants.** The department of natural resources
shall oversee projects awarded grants under section 560.13, 2001 stats., for which
funds have been encumbered but grants have not been paid on the effective date of
this subsection.

(3) **Funding to Maintain and Develop Historic Sites.** Notwithstanding section
20.370 (7) (fa) of the statutes, the requirements that the department of natural
resources expend at least $150,000 in each fiscal year from the appropriation under
section 20.370 (7) (fa) of the statutes for maintaining and developing historic sites
and that the department of natural resources expend at least $10,000 of these
amounts in each fiscal year for maintaining and developing Heritage Hill State Park
do not apply in fiscal year 2003−04.

**SECTION 9139. Nonstatutory provisions; personnel commission.**

(1) **Abolition of Personnel Commission.**

(a) **Assets and liabilities.**

1. On the effective date of this subdivision, all assets and liabilities of the
personnel commission relating to the performance of its duties under section 230.45
(1) (a), (c), (d), and (e), 2001 stats., as determined by the secretary of administration,
shall become the assets and liabilities of the employment relations commission.

2. On the effective date of this subdivision, all assets and liabilities of the
personnel commission relating to the performance of its duties under section 230.45
(1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., as determined by the secretary of
administration, shall become the assets and liabilities of the department of
workforce development.
(b) **Tangible personal property.**

1. On the effective date of this subdivision, all tangible personal property, including records, of the personnel commission relating to the performance of its duties under section 230.45 (1) (a), (c), (d), and (e), 2001 stats., as determined by the secretary of administration, are transferred to the employment relations commission.

2. On the effective date of this subdivision, all tangible personal property, including records, of the personnel commission relating to the performance of its duties under section 230.45 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., as determined by the secretary of administration, are transferred to the department of workforce development.

(c) **Contracts.**

1. On the effective date of this subdivision, all contracts entered into by the personnel commission relating to the performance of its duties under section 230.45 (1) (a), (c), (d), and (e), 2001 stats., as determined by the secretary of administration, which are in effect on the effective date of this subdivision remain in effect and are transferred to the employment relations commission. The employment relations commission shall carry out any such contractual obligations until modified or rescinded by the employment relations commission to the extent allowed under the contract.

2. On the effective date of this subdivision, all contracts entered into by the personnel commission relating to the performance of its duties under section 230.45 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., as determined by the secretary of administration, which are in effect on the effective date of this subdivision remain in effect and are transferred to the department of workforce development. The
department of workforce development shall carry out any such contractual
obligations until modified or rescinded by the department of workforce development
to the extent allowed under the contract.

(d) Pending matters.

1. On the effective date of this subdivision, any matter pending with the
personnel commission relating to the performance of its duties under section 230.45
(1) (a), (c), (d), and (e), 2001 stats., is transferred to the employment relations
commission, and all materials submitted to or actions taken by the personnel
commission with respect to the pending matter are considered as having been
submitted to or taken by the employment relations commission.

2. On the effective date of this subdivision, any matter pending with the
personnel commission relating to the performance of its duties under section 230.45
(1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., is transferred to the department of
workforce development, and all materials submitted to or actions taken by the
personnel commission with respect to the pending matter are considered as having
been submitted to or taken by the department of workforce development.

(e) Rules and orders.

1. All rules promulgated, and all orders issued, by the personnel commission
that are in effect on the effective date of this subdivision and that relate to the
performance of its duties under section 230.45 (1) (a), (c), (d), and (e), 2001 stats.,
remain in effect until their specified expiration date or until amended or repealed or
modified or rescinded, whichever is appropriate, by the employment relations
commission.

2. All rules promulgated, and all orders issued, by the personnel commission
that are in effect on the effective date of this subdivision and that relate to the
performance of its duties under section 230.45 (1) (b), (g), (gm), (j), (k), (L), and (m), 2001 stats., remain in effect until their specified expiration date or until amended or repealed or modified or rescinded, whichever is appropriate, by the department of workforce development.

SECTION 9140. Nonstatutory provisions; public defender board.

SECTION 9141. Nonstatutory provisions; public instruction.

(1) TRANSFER OF EDUCATIONAL TECHNOLOGY PROGRAMS.

(a) The authorized FTE positions for the department of public instruction, funded from the appropriation under section 20.255 (1) (jr) of the statutes are increased by 0.5 PR position on the effective date of this subsection for the administration of technology for educational achievement programs under subchapter VIII of chapter 115 of the statutes, as created by this act.

(b) The authorized FTE positions for the department of public instruction, funded from the appropriation under section 20.255 (4) (mp) of the statutes, as affected by this act, are increased by 0.5 FED position on the effective date of this subsection for the administration of technology for educational achievement programs under subchapter VIII of chapter 115 of the statutes, as created by this act.

(c) The authorized FTE positions for the department of public instruction, funded from the appropriation under section 20.255 (4) (s) of the statutes, as affected by this act, are increased by 1.0 SEG position on the effective date of this subsection for the administration of technology for educational achievement programs under subchapter VIII of chapter 115 of the statutes, as created by this act.

SECTION 9142. Nonstatutory provisions; public lands, board of commissioners of.

SECTION 9143. Nonstatutory provisions; public service commission.
(1) **Abolishing the Office of Commissioner of Railroads; Transitional Provisions.**

(a) **Definitions.** In this subsection:

1. “Department” means the department of transportation.
2. “Division” means the division of hearings and appeals in the department of administration.
3. “Office” means the office of the commissioner of railroads.

(b) **Assets and liabilities.** On the effective date of this paragraph, the assets and liabilities of the office shall become the assets and liabilities of the department.

(c) **Staff.**

1. On the effective date of this subdivision, the position of the commissioner of railroads is abolished.
2. On the effective date of this subdivision, the following 4.0 FTE PR positions and the incumbent employees, identified by the secretary of transportation, holding those positions in the office are transferred to the department:
   a. One program assistant position.
   b. Three regulation compliance investigator positions.
3. Employees transferred under subdivision 2. to the department have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department that they enjoyed in the office immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.
4. On the effective date of this subdivision, the remaining FTE PR positions of the office not transferred under subdivision 2. or abolished under subdivision 1. are deauthorized.

(d) **Tangible personal property.** On the effective date of this paragraph, all tangible personal property, including records, of the office is transferred to the department.

(e) **Contracts.** All contracts entered into by the office in effect on the effective date of this paragraph remain in effect and are transferred to the department. The department shall carry out any obligations under such a contract until the contract is modified or rescinded by the department to the extent allowed under the contract.

(f) **Rules and orders.**

1. All rules promulgated by the office that are in effect on the effective date of this subdivision remain in effect until their specified expiration date or until amended or repealed by the department.

2. All orders issued by the office that are in effect on the effective date of this subdivision remain in effect until their specified expiration date or until modified or rescinded by the department.

(g) **Pending matters.** Any matter pending with the office on the effective date of this paragraph is transferred to the department and all materials submitted to or actions taken by the office with respect to the pending matter are considered as having been submitted to or taken by the department.

(h) **Department of administration to arbitrate disputes.** In the case of disagreement between the secretary of transportation and the commissioner of railroads with respect to any matter specified in paragraph (d), (e), (f), or (g), the
department of administration shall determine the matter and shall develop a plan for an orderly transfer.

SECTION 9143. Nonstatutory provisions; regulation and licensing.

SECTION 9144. Nonstatutory provisions; regulation and licensing.

SECTION 9145. Nonstatutory provisions; revenue.

(1) Tax appeals commissioner. All of the following apply to the tax appeals commission under section 15.105 (1) of the statutes, as affected by this act, and the office of the commissioner of tax appeals under section 15.105 (1m) of the statutes, as created by this act:

(a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the tax appeals commission shall become the assets and liabilities of the office of the commissioner of tax appeals.

(b) Employee transfers. All incumbent employees holding positions in the tax appeals commission are transferred on the effective date of this paragraph to the office of the commissioner of tax appeals.

(c) Employee status. Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the office of the commissioner of tax appeals that they enjoyed in the tax appeals commission immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the tax appeals commission is transferred to the office of the commissioner of tax appeals.

(e) Contracts. All contracts entered into by the tax appeals commission in effect on the effective date of this paragraph remain in effect and are transferred to the
office of the commissioner of tax appeals. The office of the commissioner of tax appeals shall carry out any obligations under such a contract until the contract is modified or rescinded by the office of the commissioner of tax appeals to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the tax appeals commission that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the office of the commissioner of tax appeals. All orders issued by the tax appeals commission that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the office of the commissioner of tax appeals.

(g) *Pending matters.* Any matter pending with the tax appeals commission on the effective date of this paragraph is transferred to the office of the commissioner of tax appeals, and all materials submitted to or actions taken by the tax appeals commission with respect to the pending matter are considered as having been submitted to or taken by the office of the commissioner of tax appeals.

SECTION 9146. Nonstatutory provisions; secretary of state.

SECTION 9147. Nonstatutory provisions; state fair park board.

SECTION 9148. Nonstatutory provisions; supreme court.

SECTION 9149. Nonstatutory provisions; technical college system.

SECTION 9150. Nonstatutory provisions; technology for educational achievement in Wisconsin board.

(1) Transfer of duties from the technology for educational achievement in Wisconsin board.
(a) **Assets and liabilities.** On the effective date of this paragraph, the assets and liabilities of the department of administration primarily related to the functions of the technology for educational achievement in Wisconsin board, as determined by the secretary of administration, shall become the assets and liabilities of the department of public instruction.

(b) **Outstanding loans.** On the effective date of this paragraph, all loans made under section 44.72 (4) (b), 2001 stats., shall be assigned to the department of public instruction. The department of public instruction shall take all actions that are necessary for the effective assignment of those loans, including providing notification of that assignment to all persons liable for repayment of those loans.

(c) **Positions and employees.**

1. The authorized FTE positions for the technology for educational achievement in Wisconsin board, funded from the appropriation under section 20.275 (1) (a), 2001 stats., are decreased by 1.0 GPR position on the effective date of this subdivision for the purpose of eliminating that board.

2. The authorized FTE positions for the technology for educational achievement in Wisconsin board, funded from the appropriation under section 20.275 (1) (g), 2001 stats., are decreased by .5 PR position on the effective date of this subdivision for the purpose of eliminating that board.

3. The authorized FTE positions for the technology for educational achievement in Wisconsin board, funded from the appropriation under section 20.275 (1) (m), 2001 stats., are decreased by 0.5 FED position on the effective date of this subdivision for the purpose of eliminating that board.
4. On the effective date of this subdivision, all incumbent employees holding the positions specified in subdivisions 1., 2., and 3. are transferred to the department of public instruction.

(d) Employee status. Employees transferred under paragraph (c) 4. have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of public instruction that they enjoyed in the technology for educational achievement in Wisconsin board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no transferred employee who has attained permanent status in class is required to serve a probationary period.

(e) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the department of administration that is primarily related to the functions of the technology for educational achievement in Wisconsin board, as determined by the secretary of administration, is transferred to the department of public instruction.

(f) Contracts.

1. All contracts entered into by the technology for educational achievement in Wisconsin board in effect on the effective date of this subdivision remain in effect and are transferred to the department of public instruction. The department of public instruction shall carry out any obligations under a transferred contract until the department of public instruction modifies or rescinds the contract.

2. All contracts entered into by the department of administration in effect on the effective date of this subdivision that are primarily related to the functions of the technology for educational achievement in Wisconsin board, as determined by the secretary of administration, remain in effect and are transferred to the department of public instruction. The department of public instruction shall carry out any
obligations under a transferred contract until the department of public instruction modifies or rescinds the contract.

(g) Rules and orders. All rules promulgated by the technology for educational achievement in Wisconsin board that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until the department of public instruction amends or repeals them. All orders issued by the technology for educational achievement in Wisconsin board that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until the department of public instruction modifies or rescinds them.

(h) Pending matters. Any matter pending with the technology for educational achievement in Wisconsin board on the effective date of this paragraph is transferred to the department of public instruction, and all materials submitted to or actions taken by the technology for educational achievement in Wisconsin board concerning the pending matter are considered to have been submitted to or taken by the department of public instruction.

SECTION 9151. Nonstatutory provisions; tobacco control board.

(1) Elimination of the tobacco control board.

(a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the tobacco control board shall become the assets and liabilities of the department of health and family services.

(b) Contracts.

1. All contracts entered into by the tobacco control board in effect on the effective date of this subdivision remain in effect and are transferred to the department of health and family services. The department of health and family services shall carry out any obligations under such a contract until the contract is
modified or rescinded by the department of health and family services to the extent allowed under the contract.

2. All contracts entered into by the department of health and family services in effect on the effective date of this subdivision that are primarily related to the functions of the tobacco control board, as determined by the secretary of administration, remain in effect. The department of health and family services shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of health and family services to the extent allowed under the contract.

(c) Rules and orders. All rules promulgated by the tobacco control board that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of health and family services. All orders issued by the tobacco control board that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the department of health and family services.

SECTION 9152. Nonstatutory provisions; tourism.

SECTION 9153. Nonstatutory provisions; transportation.

SECTION 9154. Nonstatutory provisions; treasurer.

(1) Transfer of the cash management functions of the office of the state treasurer.

(a) Assets and liabilities. On July 1, 2004, all assets and liabilities of the office of the state treasurer relating to the performance of its cash management functions, other than its performance of such functions under section 25.50 and chapter 177 of the statutes, as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.
(b) **Tangible personal property.** On July 1, 2004, all tangible personal property, including records, of the office of the state treasurer relating to the performance of its cash management functions, other than its performance of such functions under section 25.50 and chapter 177 of the statutes, as determined by the secretary of administration, are transferred to the department of administration.

(c) **Contracts.** All contracts entered into by the office of the state treasurer relating to the performance of its cash management functions, other than its performance of such functions under section 25.50 and chapter 177 of the statutes, as determined by the secretary of administration, which are in effect on July 1, 2004, remain in effect and are transferred to the department of administration on July 1, 2004. The department of administration shall carry out any such contractual obligations until modified or rescinded by the department of administration to the extent allowed under the contract.

(d) **Employee transfers and status.** Before July 1, 2004, all incumbent employees holding positions in the office of the state treasurer who perform cash management functions, other than functions under section 25.50 and chapter 177 of the statutes, as determined by the secretary of administration, are transferred to the department of administration. The secretary shall determine the date on which each such employee is transferred. Employees transferred under this paragraph have all rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes that they enjoyed in the office of the state treasurer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class may be required to serve a probationary period.

(e) **Pending matters.** Any matter pending with the office of the state treasurer relating to the performance of its cash management functions, other than its
performance of such functions under section 25.50 and chapter 177 of the statutes, as determined by the secretary of administration, on July 1, 2004, is transferred to the department of administration on July 1, 2004, and all materials submitted to or actions taken by the office of the state treasurer with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

**SECTION 9155. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Authority.**

**SECTION 9156. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Board.**

**SECTION 9157. Nonstatutory provisions; University of Wisconsin System.**

(1) **University of Wisconsin System resident undergraduate tuition.** Notwithstanding section 36.27 (1) (am) of the statutes, as affected by this act, the Board of Regents of the University of Wisconsin System may not increase academic fees for a resident undergraduate student enrolled at any of the following:

(a) The University of Wisconsin–Madison or University of Wisconsin–Milwaukee by more than $350 a semester in the 2003–04 academic year over academic fees charged for the 2002–03 academic year and by more than $350 a semester in the 2004–05 academic year over academic fees charged for the 2003–04 academic year.

(b) Any other University of Wisconsin System institution by more than $250 a semester in the 2003–04 academic year over academic fees charged for the 2002–03 academic year and by more than $250 a semester in the 2004–05 academic year over academic fees charged for the 2003–04 academic year.
SECTION 9157. Higher educational aids.

(2) Higher educational aids.

(a) The authorized FTE positions for the Board of Regents of the University of Wisconsin System, funded from the appropriation under section 20.285 (3) (a) of the statutes, are increased by 1.36 GPR positions on the effective date of this paragraph for the purpose of administering higher educational aids under subchapter III of chapter 39 of the statutes, as affected by this act.

(b) The authorized FTE positions for the Board of Regents of the University of Wisconsin System, funded from the appropriation under the section 20.285 (3) (qb) of the statutes, as affected by this act, are increased by 0.64 SEG position on the effective date of this paragraph for the purpose of administering higher educational aids under subchapter III of chapter 39 of the statues, as affected by this act.

SECTION 9158. Nonstatutory provisions; veterans affairs.

(1) Educational stipend program; rules. If the department of veterans affairs develops a stipend program under section 45.365 (7) of the statutes, as created by this act, the department shall, using the procedure under section 227.24 of the statutes, promulgate the rule required under section 45.365 (7) of the statutes, as created by this act, for the period before the effective date of the permanent rule promulgated under section 45.365 (7) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

SECTION 9159. Nonstatutory provisions; workforce development.
(1) **Rules related to income maintenance training.** All rules of the department of workforce development that are primarily related to competency standards, including training requirements, for income maintenance workers and that are in effect on the effective date of this subsection are transferred to the department of health and family services and remain in effect until their specified expiration dates or until amended or repealed by the department of health and family services.

(2) **Community reinvestment funds.** The department of workforce development may not pay to Wisconsin Works agencies any community reinvestment funds earned under contracts that were entered into under section 49.143 of the statutes and that had terms beginning on January 1, 2000, and ending on December 31, 2001.

(3) **Uses for other federal funding.** The department of workforce development shall investigate ways in which federal funding other than Temporary Assistance for Needy Families block grants, including but not limited to Workforce Investment Act funding, may be used by the state to create a more seamless system of employment and education and training services for low-income adults in the state. The department of workforce development shall submit a report on the findings of its investigation to the department of administration no later than December 31, 2003.

(4) **Study on assistance with labor market participation.** The department of workforce development shall conduct a study to determine the best ways to assist low-income custodial parents and other at-risk low-income adults in entering and successfully participating in the labor market. The department of workforce development is encouraged, in conducting the study, to consult with other state agencies, public and private organizations, and individuals with expertise in the subject area. The department of workforce development shall, no later than June 30,
2004, submit a report on the results of the study, including the department’s findings
and recommendations, to the legislature in the manner provided in section 13.172
(2) of the statutes and to the governor.

(5) CONSOLIDATION OF WORKFORCE INVESTMENT APPROPRIATIONS.

(a) The unencumbered balance in the appropriation account under section
20.445 (1) (ma), 2001 stats., is transferred to the appropriation account under section
20.445 (1) (m) of the statutes, as affected by this act.

(b) The unencumbered balance in the appropriation account under section
20.445 (1) (mb), 2001 stats., is transferred to the appropriation account under section
20.445 (1) (m) of the statutes, as affected by this act.

(c) The unencumbered balance in the appropriation account under section
20.445 (1) (mc), 2001 stats., is transferred to the appropriation account under section
20.445 (1) (m) of the statutes, as affected by this act.

(6) ELIMINATION OF GOVERNOR’S WORK-BASED LEARNING BOARD.

(a) Contracts. All contracts entered into by the governor’s work-based learning
board in effect on the effective date of this paragraph remain in effect and are
transferred to the department of workforce development. The department of
workforce development shall carry out any obligations under such a contract until
the contract is modified or rescinded by the department of workforce development
to the extent allowed under the contract.

(b) Rules and orders. All rules promulgated by the governor’s work-based
learning board that are in effect on the effective date of this paragraph remain in
effect until their specified expiration date or until amended or repealed by the
department of workforce development. All orders issued by the governor’s
work-based learning board that are in effect on the effective date of this paragraph
remain in effect until their specified expiration date or until modified or rescinded by the department of workforce development.

(c) Pending matters. Any matter pending with the governor’s work-based learning board on the effective date of this paragraph is transferred to the department of workforce development, and all materials submitted to or actions taken by the governor’s work-based learning board with respect to the pending matter are considered as having been submitted to or taken by the department of workforce development.

(7) Elimination of Wisconsin Conservation Corps.

(a) Contracts. All contracts entered into by the Wisconsin conservation corps board in effect on the effective date of this paragraph remain in effect and are transferred to the department of workforce development.

(b) Rules and orders. All rules promulgated by the Wisconsin conservation corps that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of workforce development. All orders issued by the Wisconsin conservation corps that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the department of workforce development.

(c) Pending matters. Any matter pending with the Wisconsin conservation corps on the effective date of this paragraph is transferred to the department of workforce development and all materials submitted to or actions taken by the Wisconsin conservation corps with respect to the pending matter are considered as having been submitted to or taken by the department of workforce development.
(d) **Employee transfer.** The secretary of administration shall designate one or more incumbent employees of the department of commerce to be transferred to the department of workforce development to administer the youth employment project grants under section 106.215 of the statutes, as affected by this act. If either department is dissatisfied with the secretary’s determination, that department may bring the matter to the cochairpersons of the joint committee on finance for consideration by the committee, and the committee shall affirm or modify the decision.

(e) **Employee status.** Employees transferred under paragraph (d) shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of workforce development that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(8) **POSITION TRANSFER TO DEPARTMENT OF ADMINISTRATION.** The authorized FTE positions for the department of workforce development, funded from the appropriation under section 20.445 (5) (kx) of the statutes, are decreased by 1.0 PR position on July 1, 2003.

**SECTION 9160. Nonstatutory provisions; other.**

(1) **Transfer of attorney positions.**

(a) In this subsection, “state agency” means an office, commission, department, independent agency, or board in the executive branch of state government, except the following:

1. The public service commission.

2. The public defender board.
3. The Board of Regents of the University of Wisconsin System.
4. The University of Wisconsin Hospitals and Clinics Board.
5. The state of Wisconsin investment board.
6. The office of the governor.
7. The elections board.
8. The ethics board.
9. The department of regulation and licensing.
10. The department of justice.
(b) Except as provided in paragraph (c), on the effective date of this paragraph all attorney positions in state agencies are transferred to the department of administration.
(c) Paragraph (b) does not apply to any of the following:
1. A position identified by the secretary of administration as a hearing officer, hearing examiner, or administrative law judge.
2. State employees working in an office of a district attorney under section 978.12 (1) (b) of the statutes or section 978.12 (1) (c) of the statutes, as affected by this act.
3. One attorney position in each of the following state agencies, identified by the secretary of administration as the chief counsel position:
   a. Department of agriculture, trade, and rural resources.
   b. Department of commerce.
   c. Department of corrections.
   d. Department of employee trust funds.
   e. Department of financial institutions.
   f. Department of health and family services.
g. Department of natural resources.

h. Department of public instruction.

i. Department of revenue.

j. Department of veterans affairs.

k. Department of workforce development.

l. Department of transportation.

m. Office of the commissioner of insurance.

(d) All incumbent employees holding positions that are transferred under paragraph (b) are transferred on the effective date of this paragraph to the department of administration. Employees transferred under this paragraph have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in their respective state agencies immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(2) Repayment of loan from the office of the commissioner of insurance.

Notwithstanding sections 20.515 (2) (g), 2001 stats., 20.855 (1) (ch), 2001 stats., 40.98 (6m), 2001 stats., and 601.34, 2001 stats., the general fund is not required to repay the loan made under section 601.34 (1), 2001 stats.

SECTION 9201. Appropriation changes; administration.

SECTION 9202. Appropriation changes; adolescent pregnancy prevention and pregnancy services board.

SECTION 9203. Appropriation changes; aging and long-term care board.
SECTION 9204. Appropriation changes; agriculture, trade and consumer protection.

SECTION 9205. Appropriation changes; arts board.

SECTION 9206. Appropriation changes; building commission.

SECTION 9207. Appropriation changes; child abuse and neglect prevention board.

SECTION 9208. Appropriation changes; circuit courts.

SECTION 9209. Appropriation changes; commerce.

(1) PETROLEUM INSPECTION FUND TRANSFER. There is transferred from the petroleum inspection fund to the general fund $1,657,400 in fiscal year 2003–04 and $1,657,400 in fiscal year 2004–05.

SECTION 9210. Appropriation changes; corrections.

SECTION 9211. Appropriation changes; court of appeals.

SECTION 9212. Appropriation changes; district attorneys.

SECTION 9213. Appropriation changes; educational communications board.

(1) INSTRUCTIONAL MATERIAL AND COPYRIGHTS. The unencumbered balance in the appropriation account under section 20.225 (1) (h), 2001 stats., immediately before the effective date of the repeal of section 20.225 (1) (h), 2001 stats., is transferred to the appropriation account under section 20.225 (1) (g) of the statutes, as affected by this act.

SECTION 9214. Appropriation changes; elections board.

SECTION 9215. Appropriation changes; electronic government.

(1) APPROPRIATION ACCOUNT BALANCE TRANSFERS; ELECTRONIC GOVERNMENT.
(a) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to gifts, grants and bequests received by the department of electronic government, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (j) of the statutes.

(b) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources specified in sections 16.972 (2) (b) and (c) and 16.974 (2) of the statutes, as affected by this act, and section 115.9995 (2) (d) of the statutes, as affected by this act, for the provision of computer services, telecommunications services, and supercomputer services to state authorities, units of the federal government, local governmental units, and entities in the private sector, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (is) of the statutes, as created by this act.

(c) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source specified in section 16.974 (3) of the statutes, as affected by this act, for the provision of electronic communications services to state authorities, units of the federal government, local governmental units, and entities in the private sector, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (is) of the statutes, as created by this act.

(d) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source specified in section 16.974 (3) of the statutes, as affected by this act, for the provision of electronic communications services to state agencies, as determined by the
secretary of administration, is transferred to the appropriation account under section 20.505 (1) (kL) of the statutes, as created by this act.

(e) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources specified in sections 16.972 and 16.973 of the statutes, as affected by this act, for the provision of printing, mail processing, and information technology processing services to state agencies, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (kL) of the statutes, as created by this act.

(f) The unencumbered balance in the appropriation account under section 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source specified in section 16.971 (11) of the statutes, as affected by this act, for the provision of information technology development and management services to executive branch agencies, as determined by the secretary of administration, is transferred to the appropriation account under section 20.505 (1) (kL) of the statutes, as created by this act.

(g) The unencumbered balance in the appropriation account under section 20.530 (1) (kp) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.505 (1) (kq) of the statutes, as affected by this act.

(h) The unencumbered balance in the appropriation account under section 20.530 (1) (m) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.505 (1) (mb) of the statutes.

SECTION 9216. Appropriation changes; employee trust funds.
SECTION 9217. Appropriation changes; employment relations commission.

SECTION 9218. Appropriation changes; employment relations department.

SECTION 9219. Appropriation changes; ethics board.

SECTION 9220. Appropriation changes; financial institutions.

SECTION 9221. Appropriation changes; Fox River Navigational System Authority.

SECTION 9222. Appropriation changes; governor.

SECTION 9223. Appropriation changes; Health and Educational Facilities Authority.

SECTION 9224. Appropriation changes; health and family services.

1. MEDICAL ASSISTANCE REDUCTION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.435 (4) (b) of the statutes, as affected by the acts of 2003, the dollar amount is decreased for fiscal year 2003–04 by the amount estimated under SECTION 9101 (8) (a), and the dollar amount is decreased for fiscal year 2004–05 by the amount estimated under SECTION 9101 (8) (b), to decrease funding for the purposes for which the appropriation is made.

2. MEDICAL ASSISTANCE TRUST FUND. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.435 (4) (w) of the statutes, as affected by the acts of 2003, the dollar amount is increased for fiscal year 2003–04 by the amount estimated under SECTION 9101 (8) (a) for fiscal year 2003–04, and the dollar amount is increased for fiscal year 2004–05 by the amount estimated under SECTION 9101 (8) (b) for fiscal year 2004–05.
SECTION 9225. Appropriation changes; higher educational aids board.

(1) TRANSFER OF DUTIES TO BOARD OF REGENTS. On the effective date of this subsection, the unencumbered balance in the appropriation account under section 20.235 (2) (aa), 2001 stats., is transferred to the appropriation account under section 20.285 (3) (a) of the statutes.

SECTION 9226. Appropriation changes; historical society.

SECTION 9227. Appropriation changes; Housing and Economic Development Authority.

SECTION 9228. Appropriation changes; insurance.

(1) PATIENTS COMPENSATION FUND TRANSFER. There is transferred from the patients compensation fund to the health care provider availability and cost control fund $200,000,000 in fiscal year 2003–04.

(2) PATIENTS COMPENSATION FUND TRANSFER. Notwithstanding section 655.27 (6) of the statutes, there is transferred from the patients compensation fund to the general fund, $83,600 in fiscal year 2003–04 and $83,600 in fiscal year 2004–05.

(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND TRANSFER. Notwithstanding section 604.03 (2) of the statutes, there is transferred from the local government property insurance fund to the general fund, $75,100 in fiscal year 2003–04 and $75,100 in fiscal year 2004–05.

(4) STATE LIFE INSURANCE FUND TRANSFER. Notwithstanding sections 604.03 (2) and 607.15 of the statutes, there is transferred from the state life insurance fund to the general fund, $59,500 in fiscal year 2003–04 and $59,500 in fiscal year 2004–05.

SECTION 9229. Appropriation changes; investment board.

SECTION 9230. Appropriation changes; joint committee on finance.

SECTION 9231. Appropriation changes; judicial commission.
SECTION 9232. Appropriation changes; justice.

SECTION 9233. Appropriation changes; legislature.

SECTION 9234. Appropriation changes; lieutenant governor.

SECTION 9235. Appropriation changes; lower Wisconsin state riverway board.

SECTION 9236. Appropriation changes; Medical College of Wisconsin.

SECTION 9237. Appropriation changes; military affairs.

SECTION 9238. Appropriation changes; natural resources.

1) ENVIRONMENTAL FUND TRANSFER. There is transferred from the environmental fund to the general fund $2,118,500 in fiscal year 2003–04 and $3,118,500 in fiscal year 2004–05.

2) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to the general fund $3,158,000 in fiscal year 2003–04 and $158,100 in fiscal year 2004–05.

3) TRANSFER OF GAMING REVENUES TO THE CONSERVATION FUND. There is transferred from the appropriation account to the department of administration under section 20.505 (8) (hm) of the statutes to the conservation fund, $1,300,000 in fiscal year 2003–04 and $1,300,000 in fiscal year 2004–05.

SECTION 9239. Appropriation changes; personnel commission.

SECTION 9240. Appropriation changes; public defender board.

SECTION 9241. Appropriation changes; public instruction.

SECTION 9242. Appropriation changes; public lands, board of commissioners of.

SECTION 9243. Appropriation changes; public service commission.

SECTION 9244. Appropriation changes; regulation and licensing.
SECTION 9245. Appropriation changes; revenue.

SECTION 9246. Appropriation changes; secretary of state.

SECTION 9247. Appropriation changes; state fair park board.

SECTION 9248. Appropriation changes; supreme court.

(1) Appropriation lapses and reestimates. The chief justice of the supreme court, acting as the administrative head of the judicial system, shall take actions during the 2003–05 fiscal biennium to ensure that from general purpose revenue appropriations for state operations to the circuit courts under section 20.625 of the statutes, to the court of appeals under section 20.660 of the statutes, and to the supreme court under section 20.680 of the statutes an amount equal to $750,000 in each fiscal year is lapsed from sum certain appropriation accounts or is subtracted from the expenditure estimates for any other types of appropriations, or both.

SECTION 9249. Appropriation changes; technical college system.

SECTION 9250. Appropriation changes; technology for educational achievement in Wisconsin board.

SECTION 9251. Appropriation changes; tobacco control board.

SECTION 9252. Appropriation changes; tourism.

SECTION 9253. Appropriation changes; transportation.

(1) Transportation fund transfer to general fund. There is transferred from the transportation fund to the general fund, $15,000,000 in fiscal year 2003–04 and $15,000,000 in fiscal year 2004–05.

SECTION 9254. Appropriation changes; treasurer.

SECTION 9255. Appropriation changes; University of Wisconsin Hospitals and Clinics Authority.
SECTION 9256. Appropriation changes; University of Wisconsin Hospitals and Clinics Board.

SECTION 9257. Appropriation changes; University of Wisconsin System.

SECTION 9258. Appropriation changes; veterans affairs.

(1) Veterans mortgage loan repayment fund transfer to the general fund. There is transferred from the veterans mortgage loan repayment fund to the general fund $900,300 in the 2003-04 fiscal year and $900,300 in the 2004-05 fiscal year.

SECTION 9259. Appropriation changes; workforce development.

(1) Federal project aids transfer. The unencumbered balance in the appropriation account under section 20.445 (3) (m) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.445 (3) (ma) of the statutes, as affected by this act.

(2) Food stamp employment and training program transfer. The unencumbered balances in the appropriation accounts under section 20.445 (3) (ky), (pm), and (ps) of the statutes, as affected by this act, are transferred to the appropriation account under section 20.445 (3) (kx) of the statutes, as affected by this act.

(3) Elimination of governor's work-based learning board.

(a) The unencumbered balance in the appropriation account under section 20.445 (7) (ga), 2001 stats., is transferred to the appropriation account under section 20.445 (1) (ga) of the statutes, as affected by this act.

(b) The unencumbered balance in the appropriation account under section 20.445 (7) (m), 2001 stats., is transferred to the appropriation account under section 20.445 (1) (m) of the statutes, as affected by this act.
**SECTION 9260. Appropriation changes; other.**

(1) State agency appropriation lapses to the general fund.

(a) Appropriation lapses to the general fund. Subject to paragraph (b), in the fiscal years indicated, from the following appropriation accounts, the secretary of administration shall lapse to the general fund the amounts indicated:

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<tr>
<th>Agency</th>
<th>2003–04 Fiscal Year</th>
<th>2004–05 Fiscal Year</th>
</tr>
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<tbody>
<tr>
<td><strong>20.505 Administration, department of</strong></td>
<td></td>
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<tr>
<td>(1) (ka)</td>
<td>$ 700,000</td>
<td>$ 700,000</td>
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<tr>
<td>(1) (kb)</td>
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<tr>
<td>(1) (kc)</td>
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<tr>
<td>(1) (kj)</td>
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</tr>
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<td>(8) (j)</td>
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<td>50,000</td>
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<tr>
<td><strong>20.115 Agriculture, trade and consumer protection, department of</strong></td>
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<tr>
<td>(1) (gb)</td>
<td>425,900</td>
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<tr>
<td><strong>20.433 Child abuse and neglect prevention board</strong></td>
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<tr>
<td>(1) (g)</td>
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<tr>
<td><strong>20.143 Commerce, department of</strong></td>
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<td>(1) (L)</td>
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<tr>
<td>(3) (j)</td>
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<tr>
<td>(4) (kd)</td>
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20.435  Health and family services, 
department of

(4) (hg) 162,500 162,500
(4) (hi) 50,000 50,000
(6) (jm) 275,000 275,000

20.145  Insurance, office of the commissioner
of

(1) (g) 1,226,800 1,226,800

20.455  Justice, department of

(2) (ja) 161,500 161,500

20.165  Regulation and licensing, department
of

(1) (g) 1,969,900 1,969,900

(b) Prohibited appropriation lapses and transfers. The secretary of administration may not lapse or transfer moneys to the general fund from any appropriation account specified in paragraph (a) if the lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

SECTION 9301. Initial applicability; administration.

SECTION 9302. Initial applicability; adolescent pregnancy prevention and pregnancy services board.

SECTION 9303. Initial applicability; aging and long-term care board.

SECTION 9304. Initial applicability; agriculture, trade and consumer protection.
(1) AGRICULTURAL CHEMICAL CLEANUP PROGRAM REIMBURSEMENT. The treatment of section 94.73 (6) (b) and (c) (intro.) of the statutes first applies to costs incurred on the effective date of this subsection.

(2) CONSUMER PROTECTION ASSESSMENTS. The treatment of section 100.261 (3) (d) of the statutes first applies to violations of chapter 133 of the statutes, or rules promulgated under chapter 133 of the statutes, that are committed on the effective date of this subsection.

SECTION 9305. Initial applicability; arts board.

SECTION 9306. Initial applicability; building commission.

SECTION 9307. Initial applicability; child abuse and neglect prevention board.

SECTION 9308. Initial applicability; circuit courts.

(1) INTERPRETERS IN CIVIL AND CRIMINAL COURT CASES. The treatment of section 885.38 (3) (a) (intro.) of the statutes first applies to actions commenced on the effective date of this subsection.

(2) COURT SUPPORT FEES. The treatment of section 814.634 (1) (a), (b), and (c) of the statutes first applies to actions commenced on the effective date of this subsection.

(3) SPECIAL PROSECUTION CLERKS FEE. The treatment of section 814.635 (1m) of the statutes first applies to pleadings filed on the effective date of this subsection.

SECTION 9309. Initial applicability; commerce.

SECTION 9310. Initial applicability; corrections.

(1) ADULT BOOT CAMP AGE LIMIT. The treatment of section 302.045 (1) and (2) (b) of the statutes first applies to persons sentenced on the effective date of this subsection.
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(2) Earned release program. The treatment of section 973.01 (3g) and (8) (ag) of the statutes first applies to persons sentenced on the effective date of this subsection.

SECTION 9311. Initial applicability; court of appeals.

SECTION 9312. Initial applicability; district attorneys.

SECTION 9313. Initial applicability; educational communications board.

SECTION 9314. Initial applicability; elections board.

SECTION 9315. Initial applicability; electronic government.

SECTION 9316. Initial applicability; employee trust funds.

(1) Accumulated unused sick leave credits. The treatment of sections 40.02 (25) (b) 6e. and 40.05 (4) (b), (bc), (bf) and (bm) of the statutes first applies to state employees who are participating employees under the Wisconsin Retirement System on the effective date of this subsection.

(2) State employee health insurance premium contributions. The treatment of sections 40.03 (6) (c), 40.05 (4) (ag), and 40.51 (6) of the statutes first applies to premiums paid by state employees for health care coverage for the period that begins on January 1, 2004.

(3) Receipt of an annuity under the Wisconsin retirement system. The amendment of sections 40.23 (1) (a) and 40.25 (2) of the statutes and the creation of section 40.23 (1) (a) 3. of the statutes first apply to individuals who are participating employees, as defined in section 40.02 (46) of the statutes, on the effective date of this subsection.

SECTION 9317. Initial applicability; employment relations commission.
(1) **Qualified economic offers.** The treatment of section 111.70 (1) (b), (dm), (fm), and (nc) and (4) (cm) 5., 5s., 6. a. and am., 7., 7g., 7r. (intro.), ie., and ir., 8m. a., b., and c., 8p., and 8s. and (d) 2. a. of the statutes first applies to petitions for arbitration that relate to collective bargaining agreements that cover periods beginning on or after July 1, 2003, and that are filed under section 111.70 (4) (cm) 6. of the statutes, as affected by this act, on the effective date of this subsection.

(2) **School district collective bargaining subjects and factors.** The treatment of sections 111.70 (1) (a) and (4) (cm) 7r. hm. and (p) of the statutes first applies to collective bargaining agreements that cover periods beginning on or after July 1, 2003.

**SECTION 9318. Initial applicability; employment relations department.**

**SECTION 9319. Initial applicability; ethics board.**

**SECTION 9320. Initial applicability; financial institutions.**

**SECTION 9321. Initial applicability; Fox River Navigational System Authority.**

**SECTION 9322. Initial applicability; governor.**

**SECTION 9323. Initial applicability; Health and Educational Facilities Authority.**

**SECTION 9324. Initial applicability; health and family services.**

(1) **Special enrollment period.** The treatment of section 632.746 (7m) of the statutes first applies with respect to determinations of the department of health and family services to purchase coverage under employer-sponsored health care plans that are made on the effective date of this subsection.

(2) **Applying for chronic disease AIDS program.** The treatment of sections 49.68 (3) (a) and (d) 1., 49.683 (1), and 49.687 (1m) of the statutes first applies to persons
who apply for benefits under section 49.68, 49.683, or 49.685 of the statutes on the 
effective date of this subsection.

(3) Long-Term Support Community Options Program County Carry-Over. The 
treatment of section 46.27 (7) (fm) of the statutes first applies to funds carried 
forward from calendar year 2004 to calendar year 2005.

(4) Assessment of Facility Licensed Beds. The treatment of sections 25.77 (3) 
and 50.14 (title), (1) (a), (3), and (4) of the statutes, the renumbering and amendment 
of section 50.14 (2) of the statutes, and the creation of section 50.14 (2) (b) of the 
statutes first apply to assessments that are due on the first day of the 2nd full 
calendar month after the effective date of this subsection.

(5) Preadmission Screening and Resident Review. The treatment of section 
49.45 (6c) (b) and (c) (intro.), 1., 2., and 3. of the statutes first applies to a screening 
or resident review performed on April 1, 2004.

(6) Petitions for Protective Placement. The treatment of section 55.06 (5), (8) 
(intro.), and (9) (a) of the statutes first applies to petitions for protective placement 
filed on April 1, 2004.

(7) Transfers of Protectively Placed Persons. The treatment of section 55.06 
(9) (b) and (c) of the statutes first applies to transfers of protectively placed 
individuals that are made on April 1, 2004.

(8) Annual Reviews of Protectively Placed Individuals. The renumbering of 
section 55.06 (10) (a) of the statutes and the creation of section 55.06 (10) (a) 2. of the 
statutes first apply to reviews that are due on April 1, 2004.

(9) Temporary Protective Placements. The treatment of section 55.06 (11) (c) 
of the statutes first applies to temporary protective placements that occur on April 
1, 2004.
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(10) REQUIRED COUNTY FUNDING OF SERVICES. The creation of section 49.45 (30m) (a) 2. and (c) of the statutes first applies to services provided to an individual who is initially placed in a facility under a petition for protective placement that is filed on, a transfer under section 55.06 (9) of the statutes that is made on, or a temporary protective placement under section 55.06 (11) (c) of the statutes that occurs on, April 1, 2004, or to a person who is initially placed in a facility before April 1, 2004, with respect to whom a review under section 55.06 (10) of the statutes is due on April 1, 2004.

(11) LIMITATION ON PAYMENT. The creation of section 49.45 (30m) (b) of the statutes first applies with respect to services under section 49.45 (30m) (a) 1. and 3. of the statutes that are provided to an individual on April 1, 2004.

(12) EXTENDED INTENSIVE TREATMENT SURCHARGE. The treatment of sections 20.435 (2) (gL), 46.275 (5) (e), 51.06 (1m) (d) and (5), 51.20 (13) (c) (intro.), 1., and 2. and (f), 51.35 (1) (bm), 51.437 (4rm) (c) 2m., and 51.67 (intro.) of the statutes, the renumbering of section 51.06 (3) of the statutes, and the creation of section 51.06 (3) (b) of the statutes first apply to services under section 51.06 (1m) (d) of the statutes that are provided on the effective date of this subsection.

(13) PRESCRIPTION DRUG ASSISTANCE; ENROLLMENT FEE AND DEDUCTIBLE. The treatment of section 49.688 (3) (b) 2. b. of the statutes, the renumbering and amendment of section 49.688 (5) (a) and (b) 1. of the statutes, and the creation of section 49.688 (3) (a) 1. and 2. and (b) 1. a., b., and c. of the statutes first apply to a person who is determined to be eligible under section 49.688 (2) of the statutes on the effective date of this subsection.
(14) **Assessments on health maintenance organizations.** The treatment of section 49.45 (2) (a) 25. of the statutes first applies to annual statements for 2002 that were due on March 1, 2003, and to assessments that are due on September 30, 2003.

(15) **Medical assistance drug copayments.** The treatment of section 49.45 (18) (ag) 1. and 2. and (d) of the statutes first applies to drug prescriptions that are filled on the first day of the first month beginning after publication.

(16) **Badger care drug copayments.** The treatment of section 49.665 (5) (am) 1. and 2. of the statutes first applies to drug prescriptions that are filled on the first day of the first month beginning after publication.

**Section 9325.** Initial applicability; higher educational aids board.

**Section 9326.** Initial applicability; historical society.

**Section 9327.** Initial applicability; Housing and Economic Development Authority.

**Section 9328.** Initial applicability; insurance.

**Section 9329.** Initial applicability; investment board.

**Section 9330.** Initial applicability; joint committee on finance.

**Section 9331.** Initial applicability; judicial commission.

**Section 9332.** Initial applicability; justice.

**Section 9333.** Initial applicability; legislature.

**Section 9334.** Initial applicability; lieutenant governor.

**Section 9335.** Initial applicability; lower Wisconsin state riverway board.

**Section 9336.** Initial applicability; Medical College of Wisconsin.

**Section 9337.** Initial applicability; military affairs.

**Section 9338.** Initial applicability; natural resources.
SECTION 9339. Initial applicability; personnel commission.

SECTION 9340. Initial applicability; public defender board.

SECTION 9341. Initial applicability; public instruction.

(1) General school aid. The treatment of section 121.08 (2) of the statutes first applies to the distribution of state aid in the 2003–04 school year.

(2) Choice and charter school payments. The treatment of sections 118.40 (2r) (e) 1. and 119.23 (4) (b) 2. of the statutes first applies to payments made in the 2003–04 school year.

SECTION 9342. Initial applicability; public lands, board of commissioners of.

SECTION 9343. Initial applicability; public service commission.

SECTION 9344. Initial applicability; regulation and licensing.

(1) Irrevocable burial trusts. The treatment of section 445.125 (1) (a) 2. of the statutes first applies to burial trust agreements entered into on the effective date of this subsection.

SECTION 9345. Initial applicability; revenue.

(1) Manufacturing property assessments. The treatment of sections 70.36 (3), 70.44 (1), 70.511 (2) (c), 70.995 (title), (4), (5), (6), (7) (a) and (b), (8) (a) (with respect to taxation districts assessing manufacturing property), (b) 1. (with respect to taxation districts assessing manufacturing property) and 2., (c) 1. (with respect to taxation districts assessing manufacturing property) and 2., and (d), and (dm), (10), (11), (12) (a) (with respect to taxation districts assessing manufacturing property), (b), and (c), (12r), and (13), 73.03 (2a), and 76.82 of the statutes first applies to the property tax assessments as of January 1, 2004.

SECTION 9346. Initial applicability; secretary of state.
SECTION 9347. Initial applicability; state fair park board.

SECTION 9348. Initial applicability; supreme court.

(1) Court filing fees. The treatment of section 809.25 (2) (a) 1. of the statutes first applies to an appeal, cross-appeal, petition for review, petition to bypass, or other proceeding filed on the effective date of this subsection.

SECTION 9349. Initial applicability; technical college system.

SECTION 9350. Initial applicability; technology for educational achievement in Wisconsin board.

SECTION 9351. Initial applicability; tobacco control board.

SECTION 9352. Initial applicability; tourism.

SECTION 9353. Initial applicability; transportation.

(1) Prohibited alcohol concentration. The treatment of sections 340.01 (46m) (a) and (b), 343.31 (1) (ar), 346.63 (2m), (5) (a), and (6) (a), 885.235 (1g) (a) 1. and 2., (b), (bd), (c), and (cd), 940.09 (1) (bm) and (e), 940.25 (1) (bm) and (e), and 949.08 (2) (em) of the statutes first applies to offenses and refusals committed on the effective date of this subsection but does not preclude the counting of other convictions, suspensions, or revocations as prior convictions, suspensions, or revocations for purposes of administrative action by the department of transportation, sentencing by a court, or revocation or suspension of motor vehicle operating privileges.

(2) Motor carriers.

(a) The treatment of sections 340.01 (7m) and (13m), 343.02 (1), 343.03 (1) (a), (3) (a) and (e), (5) (title), and (7) (title), 343.06 (2), 343.07 (1m) (intro.), 343.10 (1) (b), (d), (e), and (f), (2) (c), and (7) (e) and (g), 343.12 (2) (intro.), (2m), (3), (3m), and (4) (a) 1., 2., and 3. and (b), 343.17 (3) (b), 343.175 (2) (ag), 343.20 (1) (d), 343.22 (2) (b),
343.23 (2) (am) and (b), 343.307 (2) (d), 343.31 (2) and (2m), 343.315 (2) (a) (intro.),
7., and 8., (e), (f) (intro.), 2., 6., 7., and 8., and (k), 973.015, and 973.11 (1) (intro.) of
the statutes, the renumbering of section 343.03 (6) and (7) of the statutes, the
renumbering and amendment of section 343.03 (5) of the statutes, and the creation
of section 343.03 (5) (b), (6) (b) and (c), and (7) (b) and (c) of the statutes first apply
to licenses issued or renewed on the effective date of this paragraph.

(b) The treatment of sections 343.06 (2), 343.10 (1) (d), (e), and (f), (2) (c), and
(7) (g), 343.12 (2m), (3m), and (4) (a) 2., 343.23 (2) (am) and (b), 343.307 (2) (d), 343.31
(2) and (2m), 343.315 (2) (a) (intro.) 7., and 8., (e), (f) (intro.), 2., 6., 7., and 8., and
(k), 343.44 (1) (d), (2) (b) (intro.) and (bm), 973.015, and 973.11 (1) (intro.) of the
statutes, the repeal of section 343.03 (7) (c) of the statutes, the renumbering of section
343.03 (6) and (7) of the statutes, the renumbering and amendment of section 343.03
(5) of the statutes, and the creation of section 343.03 (5) (b), (6) (b) and (c), and (7) (b)
and (c) of the statutes first apply to violations committed or refusals occurring on the
effective date of this paragraph, but does not preclude the counting of other
convictions, disqualifications, suspensions, or revocations for purposes of
administrative action by the department of transportation, sentencing by a court, or
revocation or suspension of motor vehicle operating privileges.

(c) The amendment of section 343.03 (7) (c) of the statutes first applies to
violations committed on the effective date of this paragraph.

(3) INDIRECT COST REIMBURSEMENT. The treatment of section 20.395 (4) (ay) of
the statutes first applies to reimbursements of costs incurred on the effective date
of this subsection.

SECTION 9353. Initial applicability; treasurer.
SECTION 9355. Initial applicability; University of Wisconsin Hospitals and Clinics Authority.

SECTION 9356. Initial applicability; University of Wisconsin Hospitals and Clinics Board.

SECTION 9357. Initial applicability; University of Wisconsin System.

(1) Resident tuition for certain aliens. The treatment of section 36.27 (2) (cr) of the statutes first applies to persons who enroll for the semester or session following the effective date of this subsection.

SECTION 9358. Initial applicability; veterans affairs.

SECTION 9359. Initial applicability; workforce development.

(1) State is real party in interest based on receipt of food stamps. The treatment of section 767.075 (1) (c) (by SECTION 2675) of the statutes first applies to actions affecting the family that are pending on the effective date of this subsection.

(2) Excess child support incentive payments. The treatment of sections 20.445 (3) (n) (with respect to federal moneys received as child support payments) and (nL) (with respect to federal moneys received as child support payments), 49.22 (7m) (by SECTION 1294), and 49.24 (2) (b) and (c) and (3) of the statutes first applies to child support incentive payments awarded for 2002.

(3) Equal rights procedures.

(a) Family and medical leave actions. The treatment of section 103.10 (13) of the statutes first applies, in the case of a violation for which an administrative proceeding under section 103.10 (12) of the statutes has been commenced, to a violation occurring 12 months before the effective date of this paragraph and, in the case of a violation for which an administrative proceeding under section 103.10 (12)
of the statutes has not been commenced, to a violation occurring 30 days before the
effective date of this paragraph.

(b) Employment discrimination actions. The treatment of section 111.40 of the
statutes first applies to an act of employment discrimination, unfair honesty testing,
or unfair genetic testing occurring 300 days before the effective date of this
paragraph.

(c) Review of probable cause determinations. The treatment of sections 103.10
(12) (bm), 106.50 (6) (c) 4., 106.52 (4) (a) 4m., and 111.39 (4) (bm) of the statutes first
applies to probable cause determinations made on the effective date of this
paragraph.

(4) CARETAKER OF NEWBORN INFANT. The treatment of section 49.148 (1m) (a) of
the statutes first applies to all of the following:

(a) Persons who are receiving benefits under section 49.148 (1m) of the statutes
on the effective date of this paragraph.

(b) Persons who are determined, on the effective date of this paragraph, to be
eligible to receive benefits under section 49.148 (1m) of the statutes.

SECTION 9360. Initial applicability; other.

SECTION 9400. Effective dates; general. Except as otherwise provided in
Sections 9401 to 9460 of this act, this act takes effect on July 1, 2003, or on the day
after publication, whichever is later.

SECTION 9401. Effective dates; administration.

(1) TRANSFER OF HOUSING FUNCTIONS. The repeal of section 15.103 (2) of the
statutes; the renumbering of sections 16.30, 16.31, 16.336, 16.35, 16.375, 16.39 and
20.505 (7) (title) and subchapter II (title) of chapter 16 of the statutes; the
renumbering and amendment of sections 15.105 (26), 16.25, 16.33, 16.334, 16.339,
SECTION 9401

16.351, 16.352, 16.358, 16.385, 20.505 (4) (ec), 20.505 (4) (er), 20.505 (7) (a), 20.505 (7) (b), 20.505 (7) (c), 20.505 (7) (fm), 20.505 (7) (h), 20.505 (7) (k), 20.505 (7) (kg), 20.505 (7) (km), 20.505 (7) (m), 20.505 (7) (n) and 20.505 (7) (o) of the statutes; the amendment of sections 13.099 (1) (a) and (b), 13.0999 (2) (a), 13.0999 (3) (a) 5., 13.94 (1) (q), 16.54 (2) (b), 16.705 (1m), 16.71 (5), 16.957 (3) (a), 23.15 (1), 46.215 (1) (n), 46.22 (1) (b) 4m. c., 46.22 (1) (b) 4m. d., 46.22 (1) (b) 4m. e., 50.01 (1g) (c), 51.35 (5), 84.09 (5), 84.09 (5r), 85.09 (4i), 114.33 (10), 134.80, 196.491 (2) (e), 224.71 (3) (b) 1m., 224.71 (4) (b) 1m., 227.115 (1) (a) and (b), 227.115 (3) (a) 5., 234.034, 234.06 (1), 234.06 (3), 234.165 (2) (b) 2., 234.25 (1) (e), 560.045 (1), 704.05 (5) (a) 2., 961.01 (20g), and 977.01 (2) of the statutes; the creation of section 20.505 (1) (n) of the statutes; and SECTION 9101 (4) of this act take effect on the 30th day beginning after publication.

SECTION 9402. Effective dates; adolescent pregnancy prevention and pregnancy services board.

SECTION 9403. Effective dates; aging and long-term care board.

SECTION 9404. Effective dates; agriculture, trade and consumer protection.

(1) AGRICULTURAL CHEMICAL CLEANUP PROGRAM REIMBURSEMENT. The treatment of section 94.73 (6) (b) and (c) (intro.) of the statutes and SECTION 9304 (1) of this act take effect on January 1, 2004.

(2) PESTICIDE FEES AND SURCHARGES. The treatment of section 94.681 (1) (cm), (2), (3), (3m), and (3s) of the statutes takes effect on December 1, 2003.

(3) TRANSFER OF CONSUMER PROTECTION FUNCTIONS. The repeal of section 20.115 (8) (jm) of the statutes; the renumbering and amendment of section 100.207 (1) of the statutes; the amendment of sections 15.13, 15.137 (1) (a) (intro.), 20.115 (1) (hm), 20.455 (1) (title), 93.07 (1), 93.07 (24), 93.18 (3), 93.20 (1), 93.22 (1), 93.22 (2), 100.07...
(6), 100.171 (7) (b), 100.171 (8) (intro.), 100.173 (4) (intro.), 100.173 (4) (a), 100.174
(5) (intro.), 100.174 (6), 100.175 (5) (a) (intro.), 100.175 (5) (b), 100.175 (7) (a) (intro.),
100.175 (7) (b), 100.178 (1) (b), 100.18 (11) (a), 100.18 (11) (b) 3., 100.18 (11) (c) 1.,
100.18 (11) (c) 2., 100.18 (11) (c) 3., 100.18 (11) (c) 4., 100.18 (11) (d), 100.18 (11) (e),
100.182 (5) (a), 100.182 (5) (b), 100.20 (2) (a), 100.20 (2) (b), 100.20 (3), 100.20 (4),
100.20 (6), 100.201 (6) (d), 100.201 (8m) (intro.), 100.201 (9) (b), 100.201 (9) (c),
100.205 (7), 100.205 (8), 100.207 (6) (b) 1., 100.207 (6) (b) 2., 100.207 (6) (c), 100.207
(6) (em) 1., 100.207 (6) (em) 2., 100.208 (2) (intro.), 100.208 (2) (b), 100.209 (3),
100.209 (4) (b), 100.2095 (6) (b), 100.2095 (6) (c), 100.21 (2) (a), 100.21 (4) (a) (intro.),
100.22 (4) (b), 100.235 (11) (a), 100.26 (6), 100.261 (1), 100.261 (3) (b), 100.263, 100.28
(4) (b), 100.28 (4) (c), 100.31 (4), 100.31 (5), 100.38 (5), 100.38 (6), 100.44 (5), 100.46
(1), 100.46 (2), 100.50 (6) (b), 100.50 (6) (c), 101.175 (3) (intro.), 134.71 (12), 136.03
(title), 136.03 (1) (intro.), 136.04, 165.065 (2), 165.25 (4) (ar), 344.576 (3) (a) 5.,
344.576 (3) (c), 344.579 (2) (intro.), 704.90 (9), 704.90 (11) (title), 704.90 (11) (a),
707.49 (4), 707.57 (2), 707.57 (3), 779.41 (1m), 779.93 (title), 779.93 (1), and 779.93
(2) (intro.) of the statutes; the creation of sections 20.455 (1) (g), 20.455 (1) (j), 93.07
(23), 93.18 (7), 100.177 (1) (bm), 100.207 (1) (a), 100.261 (3) (d), 100.261 (3) (e), 100.37
(1) (am), 100.41 (1) (bn), 100.42 (1) (cm), 100.43 (1) (am), 100.52 (1) (bn), and 165.252
of the statutes; and SECTION 9104 (1), (2), and (3) of this act take effect on October 1,
2003, or on the first day of the 3rd month beginning after publication, whichever is
later.

(4) PET REGULATION. The treatment of sections 20.115 (2) (j) and 173.40 of the
statutes takes effect on February 1, 2004.

SECTION 9405. Effective dates; arts board.

SECTION 9406. Effective dates; building commission.
SECTION 9407. Effective dates; child abuse and neglect prevention board.

SECTION 9408. Effective dates; circuit courts.

SECTION 9409. Effective dates; commerce.

SECTION 9410. Effective dates; corrections.

SECTION 9411. Effective dates; court of appeals.

SECTION 9412. Effective dates; district attorneys.

SECTION 9413. Effective dates; educational communications board.

SECTION 9414. Effective dates; elections board.

SECTION 9415. Effective dates; electronic government.

(1) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT. The repeal of sections 15.21, 15.215 (title), 16.71 (2m), 16.974 (intro.), 20.530 (intro.), 20.530 (1) (title), 20.530 (1) (g), 20.530 (1) (kp), 20.530 (1) (m), 20.923 (4) (h) 2., chapter 22 (title), 22.01 (intro.), 22.01 (5), and 230.08 (2) (e) 3r. of the statutes; the renumbering of sections 16.974 (1) to (4), 20.530 (1) (ir), 22.01 (1), (2), (2m), (3) and (4), 22.01 (5m) to (10), 22.03 (title), 22.03 (2) (intro.), (a) and (ae), 22.03 (2) (am) to (k), 22.03 (2) (n), 22.03 (2m) (intro.), 22.03 (2m) (a) to (h), 22.03 (4) and (6), 22.03 (11), 22.05 (title), 22.05 (1), 22.05 (2) (intro.) and (a), 22.05 (2) (d), 22.05 (2) (e), 22.05 (2) (i), 22.07 (intro.), 22.07 (3) to (7), 22.07 (9), 22.09 (1), 22.11, 22.13 (title), 22.13 (2), 22.13 (6), 22.15 (intro.), 22.15 (1) to (3), 22.17 (title), 22.19, 22.41 (title), 22.41 (2) (intro.), 22.41 (2) (a) to (f), and 22.41 (3) of the statutes; the renumbering and amendment of sections 15.215 (1), 16.78 (1), 16.97, 20.530 (1) (ja), 20.530 (1) (ke), 20.530 (1) (kq), 22.03 (2) (L) to (m), 22.03 (3), 22.03 (9), 22.05 (2) (b) and (c), 22.05 (2) (f) and (g), 22.05 (2) (h), 22.07 (1) and (2), 22.07 (8), 22.09 (intro.), 22.09 (2) and (3), 22.09 (5), 22.13 (1), 22.13 (3) to (5), and 22.17 (1) to (4) of the statutes; the amendment of sections 7.33 (4) and (5), 13.101...
(14), 13.58 (5) (a) 5., 13.58 (5) (b) 1., 13.58 (5) (b) 4. (intro.), 13.90 (6), 13.93 (2) (h),
14.20 (1) (a), 15.07 (2) (L), 15.107 (7) (f), 16.43, 16.61 (2) (af), 16.61 (3n), 16.70 (4m),
16.70 (15), 16.71 (1m), 16.72 (2) (a), 16.72 (2) (b), 16.72 (4) (a), 16.75 (3t) (a), 16.75 (6)
(am), 16.752 (12) (i), 16.78 (title), 16.78 (2), subchapter VII (title) of chapter 16
[precedes s. 16.97], 19.36 (4), 20.225 (1) (kb), 20.255 (4) (s), 20.255 (4) (t), 20.255 (4)
tm, 20.255 (4) (tu), 20.255 (4) (tw), 20.505 (1) (im), 20.505 (6) (j) 12., 29.038 (1) (a),
36.25 (38) (b) 6., 85.12 (3), 115.997 (4), 115.9995 (3), 115.9995 (6) (a), 196.218 (5) (a)
5. (by SECTION 2314), 196.218 (5) (a) 6., 196.858 (1) and (2), 221.0320 (3) (a), 283.84
(1) (c), and 758.19 (7) of the statutes; the creation of sections 20.505 (1) (is) and 20.505
(1) (kL) of the statutes; and SECTIONS 9115 (1) and 9215 (1) of this act take effect on
the 30th day commencing after publication.

SECTION 9416. Effective dates; employee trust funds.

SECTION 9417. Effective dates; employment relations commission.

SECTION 9418. Effective dates; employment relations department.

(1) MERGER OF DEPARTMENT OF EMPLOYMENT RELATIONS INTO DEPARTMENT OF
administration. The treatment of sections 13.121 (4), 13.123 (1) (a) 1., 13.20 (2),
13.48 (2) (j), 13.51 (2) (b), 15.103 (3m), 15.16 (1) (intro.), 15.165 (2), 15.17, 15.173,
15.175 (title) and (1), 15.177 (title) and (1), 16.004 (7) (a), 16.40 (18), 16.415 (1) (by
SECTION 169) and (3), 16.50 (3), 16.705 (3) (intro.), 19.45 (11) (a), 20.505 (1) (a), 20.512
(intro.), (1) (title), (a), (j), (jm), (k), (ka), (km), (m), and (pz), and (2), 20.901 (1) (b),
20.916 (2), (4) (a), (4m) (b), (5) (a), (8) (a), and (9) (f) 1., 20.917 (1) (c), (2) (a), (3) (a)
1. and 2., (5) (b), and (6), 20.923 (4) (intro.), (c) 3m., and (g) 1m., (4g) (intro.), (6) (ae),
and (7) (intro.), 36.09 (1) (i) and (j), 36.27 (1) (am) 2., 40.05 (1) (b), (4) (ar), and (4g)
(a) 4., 40.06 (1) (dm), 45.43 (7) (b), 46.29 (3) (d), 49.78 (5) (by SECTION 1448), 59.26 (8)
(a), 70.99 (3) (a), 73.09 (2) and (5), 111.81 (5), 111.815 (3), 111.86 (2), 146.59 (3) (b),
SECTION 9418

227.10 (3) (e), 227.47 (2) (by SECTION 2376), 230.03 (9), 230.04 (7), 230.08 (2) (e) 1. and 4., (xe), (xt), and (y), (4) (c), and (7), 230.09 (2) (g), 230.12 (7m), 230.14 (4), 230.147 (3), 230.215 (3) (a), 233.10 (3) (c) 4. and (4), 301.16 (1o) (b), 895.65 (2), 938.538 (6m) (b), and 978.12 (1) (c) (by SECTION 2798) of the statutes, the renumbering of section 20.512 (1) (i) of the statutes, and SECTION 9118 (1) of this act take effect on the 30th day beginning after publication.

SECTION 9419. Effective dates; ethics board.

SECTION 9420. Effective dates; financial institutions.

SECTION 9421. Effective dates; Fox River Navigational System Authority.

SECTION 9422. Effective dates; governor.

SECTION 9423. Effective dates; Health and Educational Facilities Authority.

SECTION 9424. Effective dates; health and family services.

(1) LONG-TERM SUPPORT COMMUNITY OPTIONS PROGRAM COUNTY CARRY-OVER. The treatment of section 46.27 (7) (fm) of the statutes and SECTION 9324 (3) of this act take effect on January 1, 2004.

(2) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE DEMONSTRATION PROJECTS. The treatment of section 20.435 (6) (jm) (by SECTION 474) of the statutes takes effect on July 1, 2005.

(3) NURSING HOME RESIDENT RELOCATION; FUNDING. The treatment of sections 20.435 (4) (w) (by SECTION 467), 46.277 (2) (b) and (5) (am), (b), and (bm) 1. and 2., and 46.278 (3) (b) and (6) (am), (b), (bm) 1. and 2., and (f) of the statutes takes effect on January 1, 2004.
(4) Nursing home resident relocation; requirements. The treatment of sections 46.277 (1m) (ak), (3) (c), (3r), and (5) (bm) 3. and 4. and 46.278 (1m) (bg), (4g), and (6) (bm) 3. and 4. of the statutes takes effect on June 1, 2004.

(5) Placements and admissions to intermediate and nursing facilities. The treatment of sections 46.279, 49.45 (6c) (a) 6m., (b), and (c) (intro.), 1., 2., and 3., 49.46 (2) (a) 4. c. and (b) 6. a., 55.001, 55.01 (4g) and (4t), 55.045, and 55.06 (5), (8) (intro.), (9) (a), (b), and (c), and (11) (c) of the statutes, the renumbering of section 55.06 (10) (a) of the statutes, the renumbering and amendment of section 49.45 (30m) of the statutes, and the creation of sections 49.45 (30m) (a) 1., 2., and 3., (b), and (c) and 55.06 (10) (a) 2. of the statutes take effect on January 1, 2004.

(6) Nursing home payment formula. The treatment of section 49.45 (6m) (ag) 2. and 3m. (by Section 1331), (am) 1. a., b., bm., d., and e., 3. (intro.), a., b., and c., and 5., (ar) 1. a. (by Section 1346), 2. (intro.), a., b., and d., 3., and 5., (av) 1., 2., 3., 4., 5., 5m., and 6., and (bc) of the statutes and the amendment of section 49.45 (6m) (ag) 3r. of the statutes take effect on July 1, 2004.

(7) Nursing home medical assistance payments. The treatment of section 49.45 (6m) (ar) 1. a. (by Section 1345) and (6u) (am) (intro.) and (bm) of the statutes takes effect retroactively to July 1, 2003.

(8) Prescription drug assistance; provider reimbursement. The treatment of section 49.688 (1) (e) of the statutes takes effect on January 1, 2004.

(9) Badger care cost sharing. The amendment of section 49.665 (5) (ag) of the statutes takes effect on January 1, 2004.

(10) Personal needs allowance. The treatment of section 49.45 (7) (a) of the statutes takes effect on July 1, 2003, or on the first day of the first month beginning after publication, whichever is later.
SECTION 9425. Effective dates; higher educational aids board.

(1) Transfer of duties to Board of Regents. The treatment of sections 13.40
(3) (i) 1., 14.63 (11m), 14.64 (8), 15.07 (1) (a) 1., 15.67, 20.235 (intro.), (1) (title), (b),
(cg), (cm), (cr), (cu), (cx), (e), (fc), (fd), (fe), (ff), (fg), (fj), (fy), (g), (gg), (gm), (i), (k), (km),
(no), (s), and (t), and (2) (title), (aa), (bb), (bc), (bd), (ga), (gb), (ia), (ja), (n), (qa), and
(qb), 20.285 (1) (h) (by SECTION 386), 20.505 (8) (hm) 4i. and 10., 20.923 (4) (c) 4., 36.11
(6) (e), 36.31 (3), 38.04 (7m), 39.155 (1) (by SECTION 949) and (2) (by SECTION 951),
and (b), 39.393 (2) and (4), 39.395 (1) and (2) (b), 39.398 (1) (a) and (b) and (2) (b), 39.40
(3), 39.41 (1) (ae), (1m) (b), (c) (intro.) and 5., (cm), (e), (em), (f), (fm), and (m), (4) (b),
and (8), 39.435 (2), (3) (by SECTION 985), (7) (a) 1. and 2. and (b) (intro.), 39.44 (2),
39.45 (6) and (7), 227.01 (13) (zv), and 230.08 (2) (L) 4. and subchapter III (title) of
chapter 39 of the statutes, the renumbering of section 20.235 (1) (d) and (ke) of the
statutes, the amendment of section 39.435 (8) of the statutes, and SECTIONS 9101 (2),
9125 (1), 9157 (2), and 9225 (1) of this act take effect on July 1, 2004, or on the day
after publication, whichever is later.

SECTION 9426. Effective dates; historical society.

SECTION 9427. Effective dates; Housing and Economic Development
Authority.

SECTION 9428. Effective dates; insurance.

SECTION 9429. Effective dates; investment board.

SECTION 9430. Effective dates; joint committee on finance.

SECTION 9431. Effective dates; judicial commission.

SECTION 9432. Effective dates; justice.

SECTION 9433. Effective dates; legislature.
SECTION 9434. Effective dates; lieutenant governor.

SECTION 9435. Effective dates; lower Wisconsin state riverway board.

SECTION 9436. Effective dates; Medical College of Wisconsin.

SECTION 9437. Effective dates; military affairs.

SECTION 9438. Effective dates; natural resources.

SECTION 9439. Effective dates; personnel commission.

SECTION 9440. Effective dates; public defender board.

SECTION 9441. Effective dates; public instruction.

SECTION 9442. Effective dates; public lands, board of commissioners of.

SECTION 9443. Effective dates; public service commission.

SECTION 9444. Effective dates; regulation and licensing.

1. IRREVOCABLE BURIAL TRUSTS. The treatment of section 445.125 (1) (a) 2. of the statutes and Section 9344 (1) of this act take effect on January 1, 2004.

SECTION 9445. Effective dates; revenue.

1. SHARED REVENUE; TRANSPORTATION FUND AND UTILITY PUBLIC BENEFITS FUND.

(a) The repeal and recreation of section 20.835 (1) (d) of the statutes takes effect on July 1, 2004.

(b) The repeal of sections 20.835 (1) (t) and (u) and 25.40 (2) (b) 22m. of the statutes and the repeal and recreation of section 20.835 (1) (db) of the statutes take effect on July 1, 2005.

SECTION 9446. Effective dates; secretary of state.

SECTION 9447. Effective dates; state fair park board.

SECTION 9448. Effective dates; supreme court.

SECTION 9449. Effective dates; technical college system.
SECTION 9450. Effective dates; technology for educational achievement in Wisconsin board.

SECTION 9451. Effective dates; tobacco control board.

SECTION 9452. Effective dates; tourism.

SECTION 9453. Effective dates; transportation.

(1) Prohibited alcohol concentration. The treatment of sections 340.01 (46m) (a) and (b), 343.31 (1) (ar), 346.63 (2m), (5) (a), and (6) (a), 885.235 (1g) (a) 1. and 2., (b), (bd), (c), and (cd), 940.09 (1) (bm) and (e), 940.25 (1) (bm) and (e), and 949.08 (2) (em) of the statutes and SECTION 9353 (1) of this act take effect on September 30, 2003.

(2) Motor carriers.

(a) The repeal of sections 343.10 (1) (d), 343.10 (1) (e), 343.10 (1) (f), 343.10 (7) (g), and 343.12 (4) (a) 2. of the statutes; the renumbering of sections 343.03 (6) and 343.03 (7) of the statutes; the renumbering and amendment of section 343.03 (5) of the statutes; the amendment of sections 340.01 (7m), 340.01 (13m), 343.02 (1), 343.03 (1) (a), 343.03 (3) (a), 343.03 (3) (e), 343.03 (5) (title), 343.03 (7) (title), 343.06 (2), 343.07 (1m) (intro.), 343.10 (1) (b), 343.10 (2) (c), 343.10 (7) (e), 343.12 (2) (intro.), 343.12 (3), 343.12 (4) (a) 1., 343.12 (4) (a) 3., 343.12 (4) (b), 343.17 (3) (b), 343.175 (2) (ag), 343.20 (1) (d), 343.22 (2) (b), 343.23 (2) (b), 343.307 (2) (d), 343.31 (2), 343.31 (2m), 343.315 (2) (a) (intro.), 343.315 (2) (e), 343.315 (2) (f) (intro.), 343.315 (2) (f) 2., 343.44 (1) (d), 343.44 (2) (b) (intro.), 973.015, and 973.11 (1) (intro.) of the statutes; the creation of sections 343.03 (5) (b), 343.03 (6) (b), 343.03 (6) (c), 343.03 (7) (b), 343.03 (7) (c), 343.12 (2m), 343.12 (3m), 343.23 (2) (am), 343.315 (2) (a) 7., 343.315 (2) (a) 8., 343.315 (2) (f) 6., 343.315 (2) (f) 7., 343.315 (2) (f) 8., 343.315 (2) (k), and 343.315 (2) (l) of the statutes.
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343.44 (2) (bm) of the statutes; and SECTION 9353 (2) (a) and (b) of this act take effect on September 30, 2005.

(b) The amendment of section 343.03 (7) (c) of the statutes and SECTION 9353 (2) (c) of this act take effect on September 30, 2008.

SECTION 9454. Effective dates; treasurer.

(1) Transfer of cash management functions to the department of administration. The treatment of sections 13.94 (1) (a), (d) 1. and 2., and (f), 14.58 (1) (intro.), (2), (3), (4), (5), (6), (8) (intro.), (a) to (c), and (d), (9), (10), (12), (13), (17), (18), (19), and (21), 16.401 (intro.) and (1), 16.412, 16.415 (1) (by SECTION 170), 16.53 (5) and (10) (a) and (b), 18.60 (3), 19.43 (7), 20.395 (9) (gg), 20.435 (6) (gb) and (hx), 20.505 (1) (kj), 20.585 (1) (jt) and (km), 20.906 (1), (4), (5), and (6), 20.907 (2) and (5) (a), (b), (c), (d), and (e) 12e. and 12r., 20.912 (1), (3), (4) (by SECTION 706), and (5), 20.920 (2) (a), 20.929, 21.33, 23.49, 23.85, 24.17 (1) (intro.) and (2), 24.20, 24.25, 24.29, 24.32 (2), 24.33 (1) (c), 24.61 (2) (b) (by SECTION 817), 24.67 (3), 24.69 (1), 24.70 (2), (4), and (6), 24.71 (2), (4), and (5), 25.14 (3), 25.17 (61), 25.19 (3) and (4), 25.31 (1), 25.40 (1) (a) 6., 26.14 (4), 26.30 (9) (b) (intro.), 29.983 (1) (e) and (f) and (2), 29.985 (1) (c) and (d), 29.987 (1) (c) and (d), 29.989 (1) (c) and (d), 34.045 (1) (b), 34.08 (2), 36.51 (6), 38.36 (6), 40.04 (3) (c), 43.70 (3), 45.37 (11), 46.973 (3), 48.275 (2) (d), 48.715 (3) (a) 3., 49.19 (3) (b) and (14) (b), 49.498 (16) (g), 49.687 (3) (a), 49.688 (6) (a), 50.03 (5g) (c) 1. c., 50.034 (8) (d), 50.035 (11) (d), 50.04 (5) (f) (by SECTION 1472), 50.38 (4), 50.55 (1) (e), 50.98 (5), 59.25 (3) (f) 1. and 2., (k), (L), (m), and (p), 59.40 (2) (m), 66.0114 (1) (bm) and (3) (c), 66.0517 (3) (b) 1., 69.22 (1) (c) and (1m), 70.385, 70.39 (4) (b), 71.10 (5) (h) (intro.) and (5e) (h) (intro.), 71.30 (10) (h) (intro.), 71.74 (13) (a) and (b) and (14), 71.80 (1) (e), (16) (b), and (17), 71.90 (2) (by SECTION 1599), 71.91 (5) (h) and (7) (e), 72.24, 73.03 (6), 73.10 (6), 74.25 (1) (a) 5., 74.27, 74.30 (1) (e) and (1m), 76.13 (2) and
(3), 76.15 (2), 76.22 (3), 76.24 (1), 76.28 (4) (b), 76.39 (4) (d), 76.48 (3) and (5), 77.59
(7), 84.11 (4), 84.12 (4), 85.14 (1) (b) and (2), 87.07 (4), 87.11 (2), 87.13, 93.31, 100.261
(2) and (3) (a) and (b) (by SECTION 1815), 101.563 (2) (a) and (b) 1., 2., and 3., 101.573
(1), (3) (a) and (b), and (4), 102.28 (7) (a), 102.63, 102.85 (4) (c) and (d), 108.15 (6) (c),
(d) (intro.), and (e), 108.20 (2), 115.345 (5), 125.14 (2) (e) and (f), 139.10 (title) and (1),
139.39 (4), 150.963 (3) (e), 165.30 (3), 165.755 (3), (4), (5), (6), and (7), 167.31 (5) (c)
and (d), 169.46 (1) (c) and (d) and (2) (c) and (d), 194.51, 195.29 (5) (by SECTION 2274),
195.60 (3) (by SECTION 2298), (4) (d) (by SECTION 2303), and (5) (by SECTION 2305),
196.199 (3) (d), 196.85 (3), (4) (d), and (5), 215.33 (3) (b) 2., 223.02 (1) (intro.), (b), (c),
(d), and (e), 223.20 (3), 224.77 (1m) (c), 253.06 (4) (c) 2. and (5) (e), 254.45 (4) (b),
254.59 (2) and (5), 281.99 (4), 299.93 (3) and (4), 301.105 (intro.), 344.185 (2) (e) 2.,
345.08, 346.177 (3) and (4), 346.495 (3) and (4), 346.65 (4r) (c) and (d), 346.655 (2) (a)
and (b) and (3), 349.04 (3) and (4), 350.115 (1) (c) and (d), 351.07 (1g), 562.02 (1) (g),
565.37 (3), 601.13 (1) (intro.), (3) (intro.), (5), (6), (8) (intro.), and (11), 601.45 (3),
601.62 (4), 604.04 (4), 604.05, 604.06 (1), 604.07, 605.30, 611.76 (4) (e), 753.061 (5),
753.07 (2) (a), (3) (a), and (4), 757.05 (1) (b), (c), and (d), 778.135, 778.136, 778.17,
812.42 (2) (c), 813.31 (1), (2), and (3), 814.60 (1), 814.61 (1) (a), (3), (7) (a) and (b), and
(8) (c) and (d), 814.62 (1) and (3) (d) 2. and 3., 814.63 (5), 814.634 (2), 814.635 (2),
814.65 (1), 814.66 (3), 938.275 (2) (d), 938.34 (8d) (b) and (c), 961.41 (5) (b) and (c),
973.045 (2), (3) (a) (intro.), and (4), 973.046 (2), (3), and (4), 973.055 (2) (a) and (b) and
(3), 978.12 (5) (c) 1., and 978.13 (1) (b), (c), and (d) of the statutes takes effect on July
1, 2004.

SECTION 9455. Effective dates; University of Wisconsin Hospitals and
Clinics Authority.
SECTION 9456. Effective dates; University of Wisconsin Hospitals and Clinics Board.

SECTION 9457. Effective dates; University of Wisconsin System.

SECTION 9458. Effective dates; veterans affairs.

SECTION 9459. Effective dates; workforce development.

(1) WISCONSIN WORKS. The treatment of sections 20.445 (3) (dz) (by SECTION 506) and (jL) (by SECTION 511), 49.015 (2), 49.13 (2) (cm), 49.136 (2) (b), 49.141 (1) (e), (mc), (o), and (om), (4), and (5) (a), 49.143 (2) (a) 4., 5., and 6., (f), and (fm) and (3g) (a) 4., 49.145 (1), (2) (i) and (s), and (3) (b) 1., 49.1465, 49.147 (title), (1), (1m), (2) (a) 1., (3) (a), (3m), (4) (a), (5) (a) 3., and (6) (by SECTION 1223), 49.148 (1) (intro.), (am), and (b) 1., (1m) (a), and (4) (a) and (b), 49.149 (intro.), (1), (3), and (4), 49.15 (3) (a), 49.152 (1) and (3) (a) and (b), 49.155 (1m) (a) 3., 49.161 (4), 49.175 (1) (n) (by SECTION 1264), 49.179, 49.195 (title), (1), and (3), 49.22 (6), 49.26 (1) (g) (intro.), (h) 1s. b., and (hm), 49.32 (4), (9) (a), (10) (b), and (10m) (a), 49.36 (2), 49.85 (1) (by SECTION 1453), (2) (b) (by SECTION 1455), and (3) (b) 1. (by SECTION 1458), 49.95 (4m) (a) and (11), 49.96, 59.53 (5) (a), 71.93 (1) (a) 4. (by SECTION 1605), 102.07 (17m), 227.01 (13) (zL), 767.045 (1) (c) 1., 767.075 (1) (c) (by SECTION 2676) and (cm), 767.15 (1), 767.24 (6) (c), 767.47 (6) (a) and (b), and 814.61 (13) of the statutes, the renumbering and amendment of sections 49.146 and 49.148 (1m) (b) of the statutes, the amendment of sections 49.146 (title) and 49.785 (1) (intro.) of the statutes, the creation of sections 49.146 (2) and 49.148 (1m) (b) 1. of the statutes, and SECTION 9359 (4) take effect on January 1, 2004.

(2) ELIMINATION OF WISCONSIN SERVICE CORPS. The treatment of section 106.213 of the statutes and the repeal of section 20.445 (1) (cm) of the statutes take effect on the first day of the 36th month beginning after publication.
(3) **Elimination of Wisconsin Conservation Corps.** The amendment of section 20.445 (1) (u) of the statutes and the repeal of section 106.217 of the statutes take effect on the first day of the 48th month beginning after publication.

**SECTION 9460. Effective dates; other.**

(1) **Transfer of Attorney positions.** The treatment of sections 16.004 (15), 16.009 (3) (intro.), (a), and (bm), 20.505 (1) (kr), 46.03 (18) (d), 46.10 (6) and (7), 46.27 (7g) (h), 49.22 (7m) (by SECTION 1295), 49.496 (3) (f), 49.682 (6), 102.81, 186.235 (11) (dg), 214.72 (1) (b), 215.32 (3), 222.08 (4), 301.03 (18) (d), 301.12 (6) and (7), and 767.29 (1) (dm) 1m. of the statutes and SECTION 9160 (1) of this act take effect on October 1, 2003, or on the first day of the 3rd month beginning after publication, whichever is later.

(END)