



***** ANALYSIS FROM -1380/2 *****

fee for

Under current law, the ~~cost of~~ issuing a duplicate fishing license is \$9, including the issuing fee. This bill raises the fee to \$10, ~~including the issuing fee~~, unless the total cost of the original fishing license was less than \$10, ~~including any issuing fee~~. Under the bill, if the total original cost of the fishing license was ~~less than \$10~~, the total cost of issuing the duplicate is the same ~~amount~~ as the total original cost.

In the latter case

***** ANALYSIS FROM -0753/2 *****

Under current law, ~~DNR and~~ the Lac du Flambeau band of the Lake Superior Chippewa (band) ~~have in effect an agreement under which the band agrees to limit its treaty-based, off-reservation rights to fish in exchange for the band being able to issue DNR fishing licenses and stamps as an agent of DNR.~~ In addition, DNR agents may issue these licenses and stamps on the band's reservation. Current law authorizes DNR to pay the band ~~an amount equal to~~ the amount that the band would receive ^{d.} if the band issued those licenses and stamps. This payment is funded by certain moneys received by the state pursuant to Indian gaming compacts.

have

band to the band

(will)

This bill requires DNR to make an annual payment of \$50,000 in addition to the payment under current law, ~~to the band to be used~~ for fishery management within the band's reservation.

The band must use the money

***** ANALYSIS FROM -0503/1 *****

NAVIGABLE WATERS

Under current law, a person may not place a boat, boat trailer, or boating equipment in the Lower St. Croix River if the person has reason to believe that the boat, trailer, or equipment has zebra mussels attached. Also, under current law, a person must remove zebra mussels from a boat, boat trailer, or boating equipment before placing it ⁱⁿ the St. Croix River, if required to do so by a law enforcement officer.

④ This bill expands the scope of these two provisions to cover any navigable water. The bill also authorizes a law enforcement officer to require a person to remove any aquatic plants or zebra mussels from a boat, boat trailer, or boating equipment before or while transporting the boat, trailer, or equipment on a highway or other thoroughfare open to the public.

*** ANALYSIS FROM -0469/1 ***

Under current law, a variety of activities affecting navigable waters, dams, and wetlands are prohibited without a permit or other approval issued by DNR. ^e Those activities include placing certain structures on the beds of navigable waters, diverting water from a stream under certain conditions, and constructing a dam.

Generally, DNR charges a fee for these permits and approvals. Current law specifies that, if more than one fee is applicable to a project, DNR may charge only the highest applicable fee rather than charging a separate fee for each permit or approval.

~~This bill eliminates the requirement that DNR charge only the highest fee applicable to a project.~~ ^(w/) Under ^{this} the bill, an applicant must pay the permit or approval fee for each activity for which the applicant seeks a permit or other approval.

*** ANALYSIS FROM -0468/2 ***

~~Under~~ ⁼ current law, DNR ^{is required} to make available in each fiscal year at least \$500,000 for cost-sharing grants to be awarded to local governmental units for the control of invasive species that are aquatic species. This bill specifies that nonprofit conservation organizations and qualified lake associations are also eligible to receive a portion of these ^{grants} funds.

*** ANALYSIS FROM -0387/4 ***

RECREATION

Under current law, a person may not operate a vehicle in state parks or certain other state recreational lands unless DNR has issued a vehicle admission ^{receipt} for that vehicle. The base fee ~~for the receipt~~ varies depending on whether the receipt is issued on an annual or a daily basis, ~~depending~~ on the kind of vehicle for which the receipt is issued and, for certain types of receipts, ~~depending~~ on whether the receipt is issued to a resident or to a nonresident. Furthermore, DNR charges a reduced fee for receipts issued to certain persons, including persons who share a household with a person who has been issued a current annual vehicle admission receipt (additional receipt). Generally, DNR charges a higher fee for receipts issued to nonresidents. In addition to the base fee, DNR collects an issuing fee for each admission receipt issued.

This bill ~~changes current law so that~~ ^{increases} the base fee charged for an annual resident vehicle admission receipt ^{and nonresident} ~~is increased from \$19.50 to \$24.50~~ and the base fee charged ~~for an annual nonresident vehicle admission receipt is increased from \$29.50 to \$34.50.~~ The bill also [↓] ~~increases~~ the base fee charged for a daily resident vehicle admission receipt ~~from \$4.85 to \$6.85~~ and the base fee charged for an additional receipt ~~from \$9.50 to \$12~~ for residents and ~~from \$14.50 to \$17~~ for nonresidents.

Under current law, DNR operates state campgrounds, ~~in state parks, state forests, and other lands under its supervision and management,~~ and classifies these campgrounds by category. ^{and} ~~DNR~~ charges a campsite fee that varies depending on how the campground is categorized. This bill increases the nightly campsite fees by \$2 so that the increased fees range from \$8 to \$12.

~~Under current law, DNR administers the registration system for all-terrain vehicles (ATVs), boats, and snowmobiles.~~ Current law authorizes DNR to appoint agents, who are not DNR employees, to issue all-terrain vehicle ^(ATV) and snowmobile registration certificates, and certificates of number and registration certificates for boats. Under current law, DNR may implement both a noncomputerized procedure and a computerized procedure for issuing original and duplicate registration documents and for transferring and renewing these documents. ~~Under either procedure, DNR or its agents issue documentation so that the registrant is immediately able to operate the ATV, boat, or snowmobile in compliance with the applicable registration laws.~~ ↓ Under the noncomputerized procedure, agents collect a service fee of \$3 from the registrant; there is no service fee if the application is submitted directly to DNR. Under the computerized procedure, both agents and DNR collect the \$3 service fee; ~~and~~ if the \$3 fee is collected by an agent, the agent sends \$1 of the fee to DNR.

For all three types of registration, ^S this bill eliminates the ~~computerized and noncomputerized procedures as separate procedures.~~ ^{separate} Instead, for ATV and snowmobile registration, ^S the bill allows DNR to implement two procedures, one under which the applicant ^S is issued a validated receipt showing the registration of the vehicle at the time of application, and another procedure under which the applicant receives, in addition to the receipt, a ~~least one~~ decal that can be immediately placed on the vehicle. For an application submitted directly to DNR, there is no fee for receiving ~~just~~ ^{only} the receipt, and the fee for the receipt plus a decal

is \$5. For an application submitted to an agent, the fee for just the receipt is \$3. The fee for a receipt and a decal is \$5 with the agent sending \$1 of the \$5 to DNR.

For boat registration, the bill allows DNR to implement the procedure under which the applicant receives a receipt and at least one decal that can be immediately placed on the boat. The fee for this type of registration is \$5, with the agent sending \$1 of the \$5 to DNR.

***** ANALYSIS FROM -0351/1 *****

~~Under current law, DNR provides supplemental aid for the maintenance and grooming of state and county snowmobile trails. The supplemental aid is available if the total ~~actual~~ cost of maintenance exceeds \$250 per mile in a given year and of those maintenance costs the cost for grooming the trails exceeds \$130 per mile in the same year. This bill increases the \$130 per mile amount to \$150 per mile.~~

This bill increases the amount that the state pays per mile

***** ANALYSIS FROM -0365/1 *****

Current law requires DNR to distribute funds to local units of government and federal agencies for the operation of off-the-road Type I motorcycle trails and facilities and for such trails at the Black River State Forest and the Bong State Recreation Area. This bill eliminates ~~that program~~ *this payment*

***** ANALYSIS FROM -0519/3 *****

OTHER NATURAL RESOURCES

Currently,
~~Under the managed forest land (MFL) program, the owner of land that meets certain requirements as to size and the amount of timber on the land may apply to have DNR designate the land as MFL. The owner of such land then makes an annual payment *to ...* that is lower than, and in lieu of, the property taxes that normally would be payable on the land. In exchange, the owner must comply with certain forestry practices and may keep a specific area closed to public access; the remainder of the~~

land must be kept open for recreational activities such as hunting, fishing, and cross-country skiing. For land that the owner keeps closed to public access, the owner must pay a supplemental amount ~~that is in addition to the annual payment described above~~ (closed-land payment).

This bill creates a five-member managed forest land board in DNR. Members of the board include: the chief state forester or his or her designee, one member representing the Wisconsin Counties Association, one member representing the Wisconsin Towns Association, one member representing an association that represents counties that have county forests, and one member appointed from a list of nominees submitted to the governor by the Council on Forestry. ~~This board awards~~

grants to cities, towns, counties, DNR, and nonprofit conservation organizations to acquire land for certain outdoor recreation activities such as fishing, hiking, sight-seeing, and cross-country skiing. The ~~closed-land~~ payments made by ~~MFL~~

certain land owners fund the grants in lieu of property taxes

grants are funded from a portion of the

*** ANALYSIS FROM -1260/2 ***

RETIREMENT AND GROUP INSURANCE

Under current law, the Historical Society may contract with the Wisconsin Historical Foundation, Inc., for the purpose of administering certain Historical Society programs and functions. This bill provides that if the Historical Society enters into such a contract, any Wisconsin Historical Foundation, Inc., employee who was previously employed by the Historical Society is eligible to receive health care coverage under a state employee health care plan.

*** ANALYSIS FROM -1837/2 ***

2003-05 ↓

the state issued

STATE GOVERNMENT

STATE FINANCE

In the ~~last~~ fiscal biennium, obligations ~~were issued by the state~~ to pay the state's unfunded liabilities under the Wisconsin Retirement System (WRS). These liabilities had been incurred as a result of unfunded WRS benefit improvements and their cost had been allocated to each state agency as part of its required WRS contributions. This bill requires the secretary of administration during the 2005-07 fiscal biennium to lapse or transfer to the general fund from appropriations to each state agency, other than DETF and the State of Wisconsin Investment Board, moneys that would otherwise have been expended by the state agency to pay the WRS unfunded liabilities had the obligations not been issued. In addition, the bill requires the secretary in each future fiscal biennium to lapse or transfer these moneys to the general fund based on each state agency's proportionate share of all state retirement contributions that are required to be paid in that fiscal biennium.

(SWIB)

***** ANALYSIS FROM -1917/1 *****

Current law authorizes the Building Commission to contract public debt to refund the whole or any part of any unpaid indebtedness used to finance tax-supported or self-amortizing facilities or for veterans' housing loans. Such indebtedness includes any premium and interest that is currently payable on the unpaid indebtedness. Current law also sets caps on the amount of public debt that may be contracted for these purposes. This bill eliminates these ~~statutory~~ caps.

***** ANALYSIS FROM -1694/2 *****

several

~~STATE GOVERNMENT~~

~~STATE FINANCE~~

Current statutes contain ^{One} a rule of procedure governing legislative action on certain bills. Generally, ^{the} rule provides that no bill directly or indirectly affecting general purpose revenues (GPR) may be adopted if the bill would cause the estimated general fund balance on June 30 of any fiscal year to be less than a certain amount of the total GPR appropriations for that fiscal year. For fiscal year 2005-06, the amount is \$75,000,000; ~~and~~ for fiscal year 2006-07 and each fiscal year thereafter, the amount is 2 percent of total GPR appropriations for that fiscal year. ^{STET} This bill provides that for fiscal year 2006-07, the amount is \$35,000,000, ^{fiscal year} and for 2007-08 and each fiscal year thereafter, the amount is 2 percent of total GPR appropriations for that fiscal year.

Insert 99-A

*** ANALYSIS FROM -1711/4 ***

~~STATE GOVERNMENT~~

~~STATE FINANCE~~

~~Current statutes contain~~ another rule of procedure ^{provides} that ~~provides that~~ the amount appropriated from GPR may not exceed the amount appropriated from GPR in the prior fiscal year, increased by ~~any~~ ^{the} percentage increase in ~~this~~ ^{the} state's aggregate personal income. ~~There are a number of exclusions under current law from this GPR appropriation limitation.~~ ^{current} This bill ^{provides} that in the 2005-07 fiscal biennium, ^{with certain exceptions,} a GPR appropriation for county and municipal aid payments ^{is excluded from the limitation} ~~is excluded from the limitation.~~ ^{also excludes from the limitation} In addition, the bill ^{provides that} any amount appropriated to pay WRS unfunded liability obligations ^{is excluded from the limitation} ~~is excluded from the limitation.~~

this bill excludes from this limitation

~~Current statutes contain an additional~~ ^{A third} rule ^{provides} that in fiscal year 2005-06 and in fiscal year 2006-07, the amount appropriated from GPR for state operations ~~may~~

generally ^{may} not exceed the amount appropriated from GPR for state operations in fiscal year 2004-05, less \$100,000,000. This bill eliminates ^{this} ~~the~~ rule for fiscal year 2006-07 and excludes a number of appropriation expenditures from the calculation for fiscal year 2005-06.

*** ANALYSIS FROM -0391/8 ***

~~STATE GOVERNMENT~~

~~STATE FINANCE~~

Under current law, the Board of Commissioners of Public Lands (BCPL) may invest moneys ^{deposited} ~~in~~ the common school fund, the normal school fund, the university fund, and the agricultural college fund (collectively, the "trust funds") ^{only} in certain specified investments. This bill authorizes BCPL to invest moneys derived from the ^{future} sale of public lands ~~in the future~~ in the purchase of land in this state, subject to certain conditions. The bill also provides that, if the land ^{sold was} ~~at~~ the time of purchase ~~was~~ subject to ^{an} assessment or ^{property tax} levy ~~of a real property tax~~; BCPL must make annual payments in lieu of property taxes to the appropriate local governmental unit in an amount equal to 74 cents per acre.

*** ANALYSIS FROM -0390/2 ***

~~STATE GOVERNMENT~~

This bill also authorizes BCPL to delegate to SWIB the authority to invest part or all of the moneys belonging to the trust funds. Under the bill, if BCPL delegates the authority, SWIB may invest the moneys belonging to the trust funds in any fixed income investment or fund that invests in fixed income instruments.

*** ANALYSIS FROM -1372/2 ***

~~STATE GOVERNMENT~~

~~STATE FINANCE~~

*Legislative
Fiscal
Bureau*

Current law requires the secretary of administration to prepare a statement of estimated GPR receipts and expenditures in the biennium following the succeeding biennium based on recommendations in the executive biennial budget bill or bills that is to accompany the biennial budget report. Current law also requires the ~~(LFB)~~

to prepare the same statement but based on the recommendations in the executive biennial budget bill or bills, *as modified in the legislative process.* *Current law specifies* The methodology

to used to prepare these statements ~~is specified in the statutes.~~ This bill allows DOA and LFB to develop their own methodology *ies*

*** ANALYSIS FROM -1710/2 ***

~~STATE GOVERNMENT~~

~~STATE FINANCE~~

This bill requires the secretary of administration to lapse or transfer to the general fund *from* the unencumbered balances of most state operations appropriations, an amount equal to ~~\$30,000,000~~ *\$35,500,000* during the 2005-07 fiscal biennium. The secretary of administration must lapse or transfer these moneys from allocations for human resources and payroll functions and server and network support, from moneys saved as a result of restructuring procurement contracts and changes to purchasing and procurement functions, and from efficiencies achieved as a result of space management improvements in that fiscal biennium under those appropriations.

In addition, the bill requires the secretary of administration to lapse or transfer to the general fund from the unencumbered balances of these state operations appropriations an amount equal to \$50,000,000 during ~~the 2007-08~~ *each* fiscal year ~~and~~

of the 2007-09 biennium
~~\$50,000,000 during the 2008-09 fiscal year.~~ The secretary of administration ~~shall~~ *must*
 lapse or transfer these amounts from moneys saved as a result of restructuring
 procurement contracts in that fiscal biennium under those appropriations.

*** ANALYSIS FROM -1607/9 ***

~~STATE GOVERNMENT~~

~~STATE FINANCE~~

The ~~This~~ *also* bill requires the secretary of administration to lapse moneys to the general
 fund from a number of program revenue appropriation accounts. The appropriations
 are made to the following state entities: the Office of State Employment Relations
 in DOA, DATCP, DHFS, DOJ, DPI, DOC, DORL, DOR, and DVA, *comma* the Department
 of Commerce, *BCPL* ~~the Board of Commissioners of Public Lands~~, the Child Abuse and
 Neglect Prevention Board, *and* ~~and~~ the Technical College System Board *comma* and OCI.

*** ANALYSIS FROM -1786/P1 ***

~~STATE GOVERNMENT~~

PUBLIC UTILITY REGULATION

This bill establishes maximum late payment charges that telecommunications
 utilities are allowed to charge retail consumers. Under current law, a
 telecommunications utility is an entity that provides local calling service to
 consumers, *excluding* ~~except for~~ entities that provide such service on a resale basis.

With two exceptions, the bill prohibits a telecommunications utility from
 imposing on retail consumers a late payment charge at a rate greater than 1.5
 percent per month computed upon the declining principal balance of any amount
 that is not paid when due. The first exception applies to retail consumers that are
 not residential consumers. *For these consumers, for* any month in which the maximum late payment
 charge otherwise allowed under the bill is less than \$5, the bill allows the

telecommunications utility to impose a late payment charge of \$5 for that month. Under the bill's second exception, the PSC may allow a telecommunications utility to impose a late payment charge that is greater than that otherwise allowed under the bill, ~~but only~~ if the PSC determines that the greater charge is consistent with factors specified under current law for determining whether a charge is just and reasonable.

The bill also requires telecommunications utilities that impose late payment charges ~~on consumers~~ to pay to the PSC, on a semiannual basis, 5 percent of the charges they collect from consumers that are not residential consumers. The PSC must use the money for consumer education purposes ~~as determined by the PSC~~.

*** ANALYSIS FROM -1787/1 ***

*** ANALYSIS FROM -1788/P1 ***

STATE GOVERNMENT

PUBLIC UTILITY REGULATION

annual
Under current law, certain electric and gas utilities are required to make contributions to the PSC in each fiscal year. The PSC deposits the contributions into the utility public benefits fund ~~(fund)~~, which also consists of monthly fees paid by utility customers. The fund is used for programs administered by DOA for making grants for low-income assistance, energy conservation and efficiency, related environmental research and development, and renewable energy resources. If certain conditions are satisfied, the fund may also be used ^{by} for DOA to ^{award} make grants to electric utilities and cooperatives for ^{reducing} making reductions in nitrogen oxide emissions ^{that are} required under federal or state law.

In addition, certain moneys in the fund are used to pay some of the claims for the earned income tax credit, ~~Also, certain of the moneys are used to provide part~~ ^{and}

of the funding for the Wisconsin Works ~~W-2~~ program, which provides work experience and benefits to low-income custodial parents, 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.

This bill transfers \$18,185,300 in fiscal year 2005-06 and \$16,949,400 in fiscal year 2006-07 from the utility public benefits fund to the general fund. However, the bill ^{also} provides that, beginning on July 1, 2007, the moneys in the fund may be used only for the grant programs administered by DOA that are described above. In addition, the bill specifies that, beginning on July 1, 2007, moneys in the fund may not be used for any other purpose, including paying claims for the earned income tax credit and providing funding for the W-2 program.

***** ANALYSIS FROM -1364/P1 *****

~~STATE GOVERNMENT~~

~~PUBLIC UTILITY REGULATION~~

^{also} This bill transfers \$3,000,000 in fiscal year 2005-06 from the universal service fund to the general fund.

***** ANALYSIS FROM -1243/P3 *****

~~STATE GOVERNMENT~~

OTHER STATE GOVERNMENT

Under current law, DATCP administers most laws regarding consumer protection and trade practices. Current law also ^{authorizes} grants DATCP authority to enforce some of these laws by initiating court actions ^(enforcement authority). Other laws ^{The district attorney enforces} grant ~~enforcement authority to the district attorney~~. Where DATCP has enforcement authority, that authority may be exclusive, or DATCP may share enforcement authority with the district attorney or with DOJ.

This bill transfers the administration of certain of these laws from DATCP to DOJ, including laws relating to ticket refunds, dating service contracts, mail-order sales, fraud^g~~ulent representations~~, methods of competition and trade practices, telecommunications services, cable television subscriber rights, hazardous substances, product safety, products containing or made with ozone-depleting substances, future services plans, landlord and tenant, and time-share ownership. The bill also transfers enforcement authority for these laws to DOJ or to DOJ jointly with the district attorney. The bill leaves intact DATCP's administration of certain other laws, but transfers^{their} enforcement authority to DOJ or to DOJ jointly with the district attorney. These laws include laws regarding unfair trade practices in the dairy industry and in the procurement of vegetable crops, and laws regarding discrimination in the purchase of milk. The bill does not affect DATCP's authority to~~both~~ administer and enforce certain other laws, including laws relating to music royalty collection, energy savings or safety claims, and motor fuel dealerships.

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 ~~also~~ impose a consumer protection surcharge. These surcharges are, up to a certain limit, ~~credited to an appropriation account that~~ ^{appropriated to} DATCP ~~may use~~ to fund consumer protection, information, and education. Under the bill, these surcharges are, with certain exceptions, ~~credited to an appropriation account for expenditure by~~ ^{appropriated to} DOJ, rather than DATCP. ~~The~~ ^{The} bill also requires ~~imposition of~~ ^{a court to impose} the surcharge when ~~it~~ ^{it} imposes a fine or forfeiture for certain violations involving monopolization and restraint of competition.

Under ~~this~~^{the} bill, executive branch agencies that are authorized or required to employ or retain an attorney may do so only in the following ways: (1) employ an attorney in a position authorized by law, (2) contract with DOA for legal services, (3) allow DOJ to furnish legal services if DOJ is required by law to furnish the services, (4) allow or contract with the ~~division of hearings and appeals~~^{division of hearings and appeals} to furnish legal services if the ~~division of hearings and appeals~~^{division of hearings and appeals} is required or authorized by law to furnish the services, or (5) employ or retain any attorney who is not a state employee subject to the approval of the governor.

debt?
 This ~~bill~~^{the} also requires the secretary of administration to lapse or transfer to the general fund from the unencumbered balances of agency appropriations, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to \$724,900 during the 2005-07 fiscal biennium. The secretary of administration ~~shall~~^{must} lapse or transfer these moneys from allocations for agency legal services that would have been provided in that fiscal biennium with funding from those appropriations.

*** ANALYSIS FROM -1513/4 ***

~~STATE GOVERNMENT~~

~~OTHER STATE GOVERNMENT~~

This bill directs the secretary of administration, no later than July 1, 2006, to review all holdings of state-owned real property for potential sale, except property under the jurisdiction of the Board of Regents of the UW System, property under the jurisdiction of DNR (except central or district office facilities), and certain other specified property. Potential sales may include surplus or nonsurplus property, and

may be evaluated with or without the approval of the state agency that administers the affected property.

Under the bill, if the Building Commission votes, on or before June 30, 2007, to approve the sale of any property reviewed by DOA, DOA may sell the property if DOA believes that the sale is in the best interests of the state, subject to certain exceptions.

~~No ff~~ The bill does not authorize DOA to close or sell any facility or institution the operation of which is provided for by law. ~~ff~~ With certain exceptions, all net proceeds of property sales, after retirement of any outstanding debt on the affected properties and after any required reimbursement of the federal government for any federal financial assistance used to acquire the properties, ~~are~~ ^{must be} deposited ^{to} in the general fund, and ~~are~~ then transferred ~~from the general fund~~ to the budget stabilization fund.

*** ANALYSIS FROM -0984/4 ***

Currently, the land information board is attached to DOA. ~~The board~~ serves as a state clearinghouse for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects. Under current law, the board and most of its functions are abolished effective on July 1, 2005.

This bill assigns to DOA most of the functions of the land information board.

Currently, counties collect a land record fee for recording and filing most instruments that are recorded or filed with the register of deeds. Until July 1, 2005, counties must remit a portion of each fee collected to the land information board,

which the board uses to fund its operations and to make grants to counties for land records modernization projects. Currently, if a county does not have a land

information office and uses a portion of the fee for land records modernization, the county must remit most of the fee to the land information board. However, if a county establishes a land information office or receives approval from the land information board for its land records modernization plan, the county may retain most of the fee, provided that the county uses a portion of the fee that it retains for the development and maintenance of a computerized index of the county's land information relating to housing that is accessible on the Internet.

On July 1, 2005, the fee for recording or filing the first page of an instrument is reduced and no portion is remitted to the state. This bill ^{reinstates} ~~reinstates~~ the current fees but requires that the state share be remitted to DOA instead of the land information board.

The bill also requires each county that is permitted to retain most of the fee to use a portion of the fee that it retains for the provision of land information, including the county's land information records relating to housing, on the Internet.

^{directs} Under ~~current law~~ the Wisconsin Land Council ~~exists~~ in DOA. ^{to do} The purposes of the council include the following: 1) to identify and recommend to the governor land use goals and priorities; 2) ~~to establish a technical working group to study the development of a computer-based land information system and make recommendations to the governor in this area;~~ 3) ^{and} to establish a state agency resource working group that is composed of representatives of DOA, DATCP, DOC, DNR, DOR, DOT, and other appropriate agencies. ^{current law directs} This state agency resource working

various state

group ~~is required~~ to discuss, analyze, and address land use issues and related policy issues. Currently, the Wisconsin Land Council sunsets on September 1, 2005.

wp Under this bill, ^{transfers} almost all of the functions and responsibilities of the Wisconsin Land Council ~~are transferred~~ to DOA. The functions and responsibilities that are

not transferred to DOA include the responsibility of the Wisconsin Land Council to establish a technical working group to study the development of a computer-based land information system.

*** ANALYSIS FROM -1219/2 ***

~~STATE GOVERNMENT~~

~~OTHER STATE GOVERNMENT~~

a person who

This bill provides that ~~whoever~~ knowingly presents or causes to be presented a false claim under any contract or order for materials, supplies, equipment, or contractual services to be provided to the state or a local government is subject to a forfeiture (civil penalty) of not less than \$5,000 nor more than \$10,000, plus three times the amount of the damages that were sustained by the state or would have been sustained by the state, whichever is greater, as a result of the false claim.

*** ANALYSIS FROM -1377/3 ***

~~STATE GOVERNMENT~~

~~OTHER STATE GOVERNMENT~~

Under current law, a county that has a federally recognized Indian reservation within or partly within its boundaries may develop a cooperative county-tribal law enforcement program with a tribe located in the county. The county and the tribe may apply for and receive aid from DOJ for the program. The Office of Justice Assistance (OJA) administers a separate grant program to fund county law enforcement services in counties that border Indian reservations. A county is eligible

for a grant under the OJA program only if: 1) the county demonstrates a need for those services; 2) there is a neighboring tribe with which the county does not have a county-tribal law enforcement agreement; and 3) the county meets criteria established by rule by OJA. Both of these grant programs are funded from Indian gaming receipts.

This bill makes OJA responsible for administering the cooperative county-tribal grant program and extends its applicability to cases in which a county borders a reservation. ~~At the same time~~ [↓] the bill eliminates the existing OJA grant program for counties that border Indian reservations.

*** ANALYSIS FROM -1022/1 ***

~~STATE GOVERNMENT~~

~~OTHER STATE GOVERNMENT~~

Currently, the Joint Committee on Legislative Organization ~~(JCLC)~~ must recommend to the legislature, in the form of a joint resolution, a Wisconsin newspaper to be the official state newspaper. This bill provides that the secretary of administration ~~is to~~ ³ designate a Wisconsin newspaper to be the official state newspaper.

*** ANALYSIS FROM -0302/3 ***

TAXATION

INCOME TAXATION

This bill adopts, for state income and franchise tax purposes, changes made to the Internal Revenue Code by ~~Public Law 108-27~~ ⁹, the Jobs and Growth Tax Relief Reconciliation Act, not including changes related to bonus depreciation and expensing provisions and an increase in the alternative minimum tax exemption; ~~Public Law 108-121~~, the Military Family Tax Relief Act; ~~Public Law 108-173~~, the

Medicare Prescription Drug, Improvement and Modernization Act, not including changes related to health savings accounts; ~~Public Law 108-203~~, the Social Security Protection Act; ~~Public Law 108-218~~, the Pension Funding Equity Act; ~~Public Law 108-311~~, the Working Families Tax Relief Act, not including changes related to deductions for charitable contributions of computer equipment and expensing provisions related to brownfields remediation costs; ~~Public Law 108-357~~, the American Jobs Creation Act, not including changes related to the expensing of film and television production costs; and ~~Public Law 108-476~~, the YMCA Retirement Fund.

Under current law, spouses that file a joint income tax return are both liable for the payment of any tax related to that return. However, DOR may relieve a person of ^{that} ~~any~~ tax liability ~~related to a joint return~~ ^{in a manner} specified by the Internal Revenue Code and adopted by this state. Generally, DOR may relieve a person of any ~~tax liability related to a joint return~~ if the person's spouse did not notify the person of any tax liability or understatement of taxes related to the joint return. This bill corrects an outdated reference to the sections of the Internal Revenue Code that relate to a spouse's tax liability for a joint income tax return. [↓] The bill also requires a spouse to apply for relief from tax liability within two years from the date on which DOR begins collection activities on the spouse's tax liability or within two years from the effective date of the provision, whichever is later.

***** ANALYSIS FROM -1659/1 *****

In general, current law provides a subtraction from federal adjusted gross income for up to \$3,000 paid per year per student, ^{for} ~~to~~ attend a university, college, technical college, or other school that is approved by the Educational

Approval Board and that is located in this state or that is subject to the Minnesota-Wisconsin reciprocity agreement. The subtraction is phased out at certain income levels and nonresidents and part-year residents of this state may claim a prorated amount of the subtraction.

^(w/4) This bill increases the amount of the allowable subtraction from \$3,000 per year per student to \$5,100⁵ or twice the average amount charged by the UW System Board of Regents at four-year institutions for resident undergraduate tuition for the most recent full semester, whichever is greater.

*** ANALYSIS FROM -0375/2 ***

This bill authorizes DOR to prepare and maintain a list of delinquent taxpayer accounts in excess of \$25,000, subject to a number of exceptions. These accounts have tax obligations that are unpaid for more than 90 days after all appeal rights have expired. The list must ^{include} contain the names, addresses, and type and amount of tax due, including interest, penalties, fees, and costs for each person on the list. If the person listed is a corporation, the list must also ^{include} contain the name and address of each of the corporation's officers. The bill also authorizes DOR to ^{include} create and maintain a ^{the list} site on the Internet that ^{Not} contains the names and delinquent taxpayer information of those persons ^{however} on the list. ^{and updates}

~~Under the bill,~~ DOR may not post on the Internet the name of any person who has reached an agreement ~~or compromise~~ with DOR or DOJ, and is in compliance with that agreement, regarding the payment of delinquent taxes, or the name of any person who is protected by a stay ~~that is~~ in effect under the federal Bankruptcy Code. DOR ^{must} ~~is required to~~ update these provisions on the Internet site each business day.

*** ANALYSIS FROM -0371/5 ***

Under current law, ~~an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional~~ ^{may on his or her income tax return}

payment or any amount of a refund due for the endangered resources program, a local professional football district, and a breast cancer research program. This bill creates a similar income tax checkoff for designations to the veterans trust fund, ~~the proceeds of which support various programs that benefit veterans.~~

***** ANALYSIS FROM -0306/2 *****

This bill requires a partnership, a limited liability company, a tax-option corporation, an estate, or a trust that is treated as a pass-through entity for federal income tax purposes to withhold income taxes from income that the entity distributes to a nonresident partner, member, shareholder, or beneficiary.

***** ANALYSIS FROM -1794/1 *****

~~This bill creates a refundable individual income tax credit for disabled veterans who have a compensable service-connected disability of 100 percent. The credit that may be claimed by a claimant each year is \$500. If the amount of the credit exceeds the taxpayer's income tax liability, the difference will be refunded to the taxpayer by check. The credit may not be claimed by part-year residents or nonresidents of this state.~~ *of \$500 annually*

***** ANALYSIS FROM -0341/3 *****

~~This bill~~ *The also* allows a corporation that files a state tax return to designate on its return any part of its refund, or any amount in addition to taxes owed, as a donation to the veterans trust fund.

***** ANALYSIS FROM -0402/5 *****

***** ANALYSIS FROM -0403/2 *****

Under current law, a taxpayer may claim ~~income and franchise tax credits~~ *an* based, generally, on the taxpayer's business activities in a location designated by the Department of Commerce as a development zone, opportunity zone, enterprise zone, or agricultural development zone. The taxpayer may claim the credits ~~against the~~ *or*

taxes imposed on the income derived from the taxpayer's business activities in ~~the development zone, opportunity zone, enterprise zone, or agricultural development zone~~. In addition, the taxpayer may claim ^a ~~credits~~, in part, based on the number of full-time jobs that the taxpayer creates in the development zone that are filled by a member of a targeted group; ~~Under current law, a member of a targeted group~~ ^{which} includes an individual who resides in an area that the federal government designates as an empowerment zone or enterprise community.

Under this bill, generally, the taxpayer may claim ^a ~~the~~ credits against the taxes imposed on all of the taxpayer's Wisconsin income. In addition, ~~a member of a~~ ^{the} targeted group includes an individual who resides in an area that the federal government designates as an economic revitalization area.

*** ANALYSIS FROM -1245/2 ***

Under current law, a person may claim an income or franchise tax credit against the person's state income or franchise tax liability for ~~an amount equal to~~ 10 percent of the amount that the person paid in the taxable year to modernize or expand the person's dairy farm. Under the bill, a person may claim the credit for ~~an amount equal to~~ 10 percent of the amount that the person paid in the taxable year to modernize or expand the person's livestock farm. Under the bill, livestock includes dairy animals and other domestic animals used in this state for the production of food, fiber, or other animal products.

*** ANALYSIS FROM -1656/3 ***

~~TAXATION~~

~~INCOME TAXATION~~

Under current law, for purposes of computing corporate income taxes and franchise taxes, a formula is used to attribute a portion of a corporation's income to

this state. The formula has three factors: a sales factor, a property factor, and a payroll factor. The sales factor represents 50 percent of the formula and the property and payroll factors each represent 25 percent of the formula. Under current law, beginning on January 1, 2008, the sales factor will be the only factor used to attribute a portion of a corporation's income to this state. This bill modifies the sales factor to provide for the apportionment of income derived from the lease, rental, or licensing of real property and moving property, the use of computer software, and the sale or use of intangible property and services.

move to P-124

*** ANALYSIS FROM -1886/1 ***

~~TAXATION~~

~~OTHER~~

~~PROPERTY TAXATION~~

This ~~draft~~ ^{bill} increases the total amount of the school levy property tax credits in 2007 by \$150,000,000, from \$469,305,000 to \$619,305,000.

*** ANALYSIS FROM -0303/4 ***

~~TAXATION~~

~~OTHER TAXATION~~

This bill adopts the substantive provisions of the streamlined sales and use tax agreement (agreement) for purposes of administering and collecting state, county, and stadium district sales and use taxes. The agreement is intended to simplify and modernize sales and use tax administration for the states that enter into the agreement and to encourage out-of-state retailers to collect the state, county, and stadium district sales and use taxes voluntarily. Under current federal law, generally, an out-of-state retailer who sells goods or services to customers in this state is not required to collect the sales tax or use tax imposed on such sales, if the

~~retailer has no physical presence in this state. See *Quill v. North Dakota*, 504 U.S. 298, 112 S.Ct. 1904 (1992).~~

WF States that wish to enter into the agreement must adopt uniform definitions related to the administration of sales and use taxes and uniform policies related to sourcing sales of goods and services, bad debt allowances, refunds, and, to some extent, exemptions. Under the agreement, DOR may act jointly with other states that are signatories to the agreement to establish standards for certifying service providers and automated systems to aid out-of-state retailers with the collection of state sales and use taxes.

Under current law, "gross receipts" refers to the measure of the sales tax, and "sales price" refers to the measure of the use tax. Under the bill, "sales price" refers to the measure of the sales tax, and "purchase price" refers to the measure of the use tax.

WF The bill creates definitions for "alcohol beverages," "candy," "delivery charges," "dietary supplement," "food and food ingredients," "prepared food," and "soft drink."

WF The agreement provides that a state that is a signatory to the agreement may choose to tax or not tax all articles that are covered by ~~one~~^a definition, but a state may not exempt from sales tax or use tax a particular ~~item~~^{article} that is included in a definition.

The members of the project working on the agreement approved a definition for "clothing." Therefore, in order to comply with the agreement, a state may either tax all clothing or exempt all clothing, but a state may not exempt certain items of clothing and tax others. This bill, therefore, eliminates the sales tax and use tax exemptions for cloth diapers and antiembolism hose.

~~This~~ ^{The} bill ^{do} creates definitions for "durable medical equipment," "mobility-enhancing equipment," and "prosthetic device." Under the bill, the sale of such equipment and devices is exempt from the sales tax and the use tax.

*** ANALYSIS FROM -1598/6 ***

~~TAXATION~~

~~OTHER TAXATION~~

Under current law, generally, a person ~~may not~~ sell cigarettes in this state as a distributor, jobber, vending machine operator, or multiple retailer ~~without having a permit from DOR.~~ Also, a person ~~may not~~ sell tobacco products in this state as a distributor or subjobber ~~without having a permit from DOR.~~ A "jobber" is any person who acquires cigarettes from manufacturers or distributors, stores the cigarettes, and sells the cigarettes to retailers for resale. A "subjobber" is any person, other than a manufacturer or distributor, who buys tobacco products from a distributor and who sells such products to any person other than the ultimate consumer.

This bill prohibits a direct marketer from selling cigarettes or tobacco products to consumers in this state without ~~having~~ the appropriate permit from DOR. ~~The bill defines "direct marketing" as publishing or making accessible an offer for the sale of cigarettes or tobacco products to consumers in this state, or selling cigarettes or tobacco products to consumers in this state, using any means by which the consumer is not physically present on a premise that sells cigarettes or tobacco products.~~

^{WA} A direct marketer who sells cigarettes to consumers in this state must apply to DOR for a permit and submit a fee ^{→ The fee} with ^{for} the permit application ^{is} based on the number of cigarettes that the direct marketer sells annually to consumers in this state. ~~Permits issued to direct marketers expire each year on December 31.~~

needs a permit from DOR to

Under the bill, DOR ^{may} ~~will~~ not issue a permit to a direct marketer unless the direct marketer certifies to DOR that all sales of cigarettes or tobacco products to consumers in this state will be credit card transactions; that the invoices for all shipments of cigarettes or tobacco products will bear the direct marketer's name, address, and permit number; and that the direct marketer will provide DOR any information that DOR considers necessary for cigarette and tobacco products tax and permit purposes. The direct marketer may not sell any cigarettes or tobacco products unless the sales tax, use tax, cigarette tax, or tobacco products tax, as appropriate, has been paid on the sale of the cigarettes or tobacco products. In addition, a direct marketer may not sell cigarettes or tobacco products in this state unless the direct marketer has a mechanism, approved by DOR, for verifying the age of the purchaser, and the direct marketer receives from the purchaser, at the time of purchase, a copy or facsimile of an identification card and the name specified on the identification matches the name of the purchaser.

Under the bill, cigarettes and tobacco products may not be shipped to a person who is under 18 years of age and may not be shipped to a post-office box.

*** ANALYSIS FROM -0297/3 ***

~~TAXATION~~

~~OTHER TAXATION~~

Under current law, the state imposes a sales tax on all retailers at the rate of 5 percent of the gross receipts from the sale, lease, or rental of tangible personal property and the sale of certain services. For sales tax purposes, a retailer includes a seller who sells any tangible personal property or taxable service. A retailer who is subject to the sales tax must obtain a seller's permit, collect the sales tax, and remit

the collected tax to DOR. The Wisconsin Supreme Court has held that a religious organization that sells tangible personal property is not a retailer subject to the sales tax, if the sales ~~that the religious organization makes~~ are not mercantile in nature.

~~See *Kollasch v. Adamany*, 104 Wis. 2d 552 (1981)~~

~~Under this bill, a retailer who is subject to the sales tax includes a person who makes any sale, regardless of whether the sale is mercantile in nature, of tangible personal property or certain services.~~

Under current law, a nonprofit organization that sells tangible personal property or services is required to have a seller's permit, if it sells property or services on more than 20 days during the year and the gross receipts from such sales exceed \$15,000. ~~Under the bill, a nonprofit organization that sells tangible personal property or services is required to have a seller's permit, if it sells property or services~~

~~on more than 20 days during the year and the gross receipts from such sales exceed \$25,000.~~

Woff
This bill increases this amount to \$25,000.

Under current law, the sales of tangible personal property or taxable services made by a nonprofit organization at an event involving entertainment are subject to the sales tax and the use tax, if the organization's payment for the entertainment exceeds \$300. ~~Under the bill, the sales of tangible personal property or taxable~~

~~services made by a nonprofit organization at an event involving entertainment are subject to the sales tax and the use tax, if the organization's payment for the entertainment exceeds \$500.~~

Woff
This bill increases this amount to \$500.

~~TAXATION~~

~~OTHER TAXATION~~

This bill authorizes DOT, DRL, and DWD to provide information, such as names, addresses, and social security numbers, to DOR for the purpose of administering state taxes. The bill also authorizes other state agencies that issue occupational licenses to provide such information to DOR for the purpose of administering state taxes.

*** ANALYSIS FROM -0300/4 ***

~~TAXATION~~

~~OTHER TAXATION~~

Under current law, generally, a license, credential, permit, or certificate (license) issued by the state may be ^{denied or} ~~revoked~~ if the person who holds the license is liable for delinquent state taxes. ~~In addition, an application for a license issued by the state may be denied if the applicant is liable for delinquent state taxes.~~ Under current law, DOR certifies to the Wisconsin Supreme Court and to the ^{licensing} ~~entity that~~ issues the license that the license holder or license applicant owes delinquent taxes. The Supreme Court and the ^{deny or} ~~licensing entity~~ ~~revoke the license or deny the application for the license~~ based on DOR's certification. The license holder or applicant is then entitled to a hearing conducted by DOR. If, as a result of the hearing, DOR affirms the ^{person's} ~~license holder's or applicant's~~ tax delinquency, the Supreme Court and the licensing entity affirm the license revocation or denial. After ^{person} ~~the license revocation or denial is affirmed,~~ ^{Then} ~~the license holder or applicant~~ may appeal the revocation or denial to the Dane County Circuit Court.

Under this bill, if as a result of a hearing DOR affirms the tax delinquency of a person who ^{has applied for or} ~~holds a license to practice law or an applicant for a license to practice~~

~~law~~↓, the license holder or applicant may appeal DOR's determination to the Dane County Circuit Court. If the Dane County Circuit Court upholds DOR's determination, DOR affirms the ~~license holder's or applicant's~~^{person's} tax delinquency, and the state Supreme Court decides whether to revoke or deny the license to practice law.

*** ANALYSIS FROM -0301/1 ***

~~TAXATION~~

~~OTHER TAXATION~~

Under current law, a state agency may certify to DOR any debt owed to the agency so that DOR may collect the debt ~~by subtracting the amount of the debt~~ from any tax refund owed to the debtor, but only if the debt has been reduced to a judgment. Under current law, generally, a county or municipality may certify to DOR any debt owed to the county or municipality for a similar collection, ^{if} if the debt has been reduced to a judgment or if the county or municipality has provided the debtor reasonable notice and an opportunity to be heard with regards to the debt.

Under this bill, a state agency may certify to DOR any debt owed to the agency so that DOR may collect the debt ~~by subtracting the amount of the debt~~ from any tax refund owed to the debtor, ^{if} if the debt has been reduced to a judgment or if the state agency has provided the debtor reasonable notice and an opportunity to be heard with regards to the debt.

*** ANALYSIS FROM -0304/P2 ***

~~GAMBLING~~

Procedures

This bill authorizes DOR to use the ~~provisions~~^{procedures} under current law for assessing, collecting, and reviewing delinquent income and franchise taxes to assess, collect,

Move to P-44

and review any unpaid amount owed by a retailer to ^gthe DOR in connection with the state lottery.

*** ANALYSIS FROM -0743/1 ***

~~TAXATION~~

~~OTHER TAXATION~~

Under current law, generally, the state imposes a use tax on the storage, use, or other consumption in this state of tangible personal property or taxable services purchased from a retailer who has no physical presence in this state. Under current federal law, ^{however} a retailer who has no physical presence in this state and who sells tangible personal property or taxable services to customers in this state is not required to collect the use tax imposed on such sales.

Under this bill, a retailer who has no physical presence in this state and who sells tangible personal property or taxable services to customers in this state must collect the use tax from the customers, ~~contingent, however, on~~ ^{if} federal law ^{authorizes} ~~authorizing~~ the collection of such taxes.

*** ANALYSIS FROM -1046/P1 ***

~~TAXATION~~

~~OTHER TAXATION~~

Under current law, the state imposes a rental vehicle fee on the rental of certain vehicles. The fee is equal to ^{of} 3 percent of the gross receipts from the rental of automobiles, mobile homes, motor homes, and camping trailers, ^g if such vehicles are rented or leased without drivers, and 5 percent of the gross receipts from the rental of limousines. Under this bill, ^{increases this} the rental vehicle fee is equal to 5 percent of the gross receipts from the rental of automobiles, mobile homes, motor homes, and camping

~~trailers, if such vehicles are rented or leased without drivers, and 5 percent of the gross receipts from the rental of limousines.~~

***** ANALYSIS FROM -1693/1 *****

Under current law, a county retains 20 percent of all real estate transfer fees collected by the county and submits the balance to the state. Under this bill, the real estate transfer fees retained by the county that are collected in conjunction with the transfer of real estate in a first class city ~~shall be~~ ^{mv ave} transmitted to the first class city.

***** ANALYSIS FROM -1796/3 *****

This bill imposes the sales tax and the use tax on audiovisual works, finished artwork, literary works, and audio works that are delivered electronically to a purchaser.

***** ANALYSIS FROM -1820/1 *****

This bill increases the administrative fees that DOR imposes for the enforcement of intoxicating liquor taxes from three cents per gallon on each gallon of intoxicating liquor subject to taxation to 11 cents per gallon on each gallon of intoxicating liquor subject to taxation.

Insert from P-116 ✓
→

***** ANALYSIS FROM -1889/2 *****

TRANSPORTATION ✓

HIGHWAYS ✓

Under current law, DOT, under specified circumstances, may contract up to \$565,480,400 in public debt for the purpose of funding major highway projects, southeast Wisconsin freeway rehabilitation projects, and state highway rehabilitation projects. Prior to July 1, 2005, ~~principal and interest costs incurred in financing~~ ^{debt service on} this debt ~~debt service~~ ^{is} are paid from the transportation fund. Beginning on July 1, 2005, debt service on this debt is paid from the general fund.

This bill increases by \$250,000,000 this authorized general obligation bonding limit from \$565,480,400 to \$815,480,400. ^{The} ~~This~~ bill also creates new general obligation bonding authority for DOT, allowing DOT to contract up to an additional \$213,100,000 in public debt for the purpose of funding southeast Wisconsin freeway rehabilitation projects. Debt service on this debt is paid from the transportation fund.

*** ANALYSIS FROM -1084/2 ***

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 \$2,095,583,900. This bill increases the revenue bond limit ~~from \$2,095,583,900~~ to \$2,516,117,900.

*** ANALYSIS FROM -1394/1 ***

*** ANALYSIS FROM -1053/3 ***

TRANSPORTATION

DRIVERS AND ~~MOTOR~~ VEHICLES *

Under current law, any person who obtains a vehicle must obtain a certificate of title. If a person obtains a vehicle from a motor vehicle dealer, the dealer ^{must} ~~prepares~~ the application for certificate of title, collect~~s~~ the application fees, and submit~~s~~ the application to DOT within seven business days of the sale.

Under this bill, all motor vehicle dealers must process ~~the~~ applications for certificate of title electronically. A dealer who fails to do so may have its license revoked or suspended by DOT. In addition, this bill increases the fee for a new certificate of title or a certificate of title after transfer from \$18.50 to \$28.50 and increases the fee for a replacement certificate of title from \$8 to \$20.

*** ANALYSIS FROM -1051/1 ***

~~TRANSPORTATION~~

~~DRIVERS AND MOTOR VEHICLES~~

Under current law, a person pays a \$55 annual fee to DOT to register his or her automobile. The fee for a motor truck or dual purpose motor home varies depending on the vehicle's weight.

(m) This bill increases the annual fee for registering an automobile from \$55 to \$65 and ~~changes~~ ^{increases} the annual fee for registering a motor truck or dual purpose motor home that weighs not more than 4,500 pounds from \$48.50 to \$65, for a vehicle that weighs not more than 6,000 pounds from \$61.50 to \$71, and for a vehicle that weighs not more than 8,000 pounds from \$77.50 to \$87.

*** ANALYSIS FROM -1192/2 ***

~~TRANSPORTATION~~

~~DRIVERS AND MOTOR VEHICLES~~

Under current law, DOT must revoke a person's motor vehicle operating privilege for five years upon receipt of a record of conviction that brings ^{if} the person within the definition ^{is} of a habitual traffic offender. A person is a habitual traffic offender if the person, within a five-year period, has accumulated at least four convictions of specified offenses of a more serious nature or at least 12 convictions of moving violations of traffic regulations or of specified crimes related to the operation of a motor vehicle. For purposes of the habitual traffic offender law, the term "traffic regulation" means traffic-related provisions for which the penalty is a forfeiture (a civil offense).

This bill changes the definition of habitual traffic offender. [↓] Under ^{this} the bill, a habitual traffic offender is a person who, within a five-year period, has accumulated

at least four convictions of specified offenses of a more serious nature or at least 12 convictions of violations of ^{those} law, punishable by either civil or criminal penalty, ~~classified under the chapter of the statutes designated for~~ ^{that relate to} rules of the road.

*** ANALYSIS FROM -1400/1 ***

~~TRANSPORTATION~~

~~DRIVERS AND MOTOR VEHICLES~~

This bill allows ~~driver records maintained by DOT to be certified~~ ^{certify driver records} electronically ~~by DOT~~ ^{in court} as public records qualifying for self-authentication if the electronic certification is made in a manner determined by DOT to satisfactorily support a finding that the document is what it purports to be. Accordingly, driver records may be self-authenticating by certification generated by a DOT computer system rather than a DOT employee.

*** ANALYSIS FROM -1559/1 ***

Current law requires DOT to establish new designs for most vehicle registration plates every seven years and to issue the new plates on a rolling basis as vehicle registrations are renewed by the vehicle owners.

(WF) This bill eliminates the requirement that DOT establish new designs for registration plates.

*** ANALYSIS FROM -0374/3 ***

Under current law, a person may purchase a specialized registration plate for his or her motor vehicle, ~~DOT charges~~ ^{by paying} an additional fee for ~~the issuance or reissuance of a specialized registration plate.~~

(WF) This bill creates a specialized registration plate for persons who are interested in supporting veterans. The bill ~~also~~ requires DOT to deposit all of the additional fees collected for specialized registration plates that are related to veterans or the armed

forces into the veterans trust fund. The bill specifies that the additional fee assessed for ^{these} a specialized plate ^s related to veterans or the armed forces may be claimed as a tax-deductible charitable contribution.

*** ANALYSIS FROM -0452/2 ***

Under current law, a registrant is required to 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, 2005. This bill ~~increases~~ ^{the fee to \$10.30 and} eliminates the expiration date.

*** ANALYSIS FROM -1652/2 ***

Current law prohibits a person from operating a motor vehicle on the highway during any period in which the person's motor vehicle operating privilege is revoked ~~operating while revoked~~. A person convicted of ^{violating this prohibition} ~~operating while revoked~~ on or after May 1, 2002, is subject to a criminal penalty and must be fined not more than \$2,500 or imprisoned for not more than one year or both.

This bill ^{decriminalizes the} ~~makes~~ first offense ^{of} operating ^{a vehicle} while revoked ~~a civil penalty, and~~ ^{and requires} ~~which~~ a person ^{to} ~~must~~ forfeit not more than \$600 ~~but may not be imprisoned~~ if the underlying operating privilege revocation ^{did} ~~does~~ not result from specified alcohol or controlled substance-related traffic violations.

*** ANALYSIS FROM -1082/1 ***

~~TRANSPORTATION~~

TRANSPORTATION AIDS

Under current law, DOT makes a general transportation aid ^{g payment} 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

#1,862
#1,899
\$1,843 for 2006 and \$1,862 for 2007 and thereafter.

#91,845,500

The bill *also* increases the maximum amount of general transportation aids that may be paid to counties from \$90,044,600 in 2003 and thereafter to \$90,945,000 in

2006 and *\$91,854,500 in calendar year 2007* and thereafter. The bill also increases

the maximum amount of aid that may be paid to municipalities from \$283,291,100 in 2003 and thereafter to \$286,124,000 in 2006 and *\$297,736,000* in 2007 and

thereafter.

93,682,400

*** ANALYSIS FROM -1083/1 ***

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 *their costs* the expenses of operating those systems.

W4 This bill maintains in 2005 and increases in 2006 and 2007 the total amount of state aid to each class of mass transit system.

*** ANALYSIS FROM -1557/2 ***

TRANSPORTATION

OTHER TRANSPORTATION ✓

Under current law, DOT may award grants to partially reimburse eligible applicants for certain harbor improvements. This bill requires DOT to award a grant of \$6,000,000 to a city *in northeastern Wisconsin* that *has* ~~owns~~ a harbor facility located on Lake Michigan for constructing or improving boatlift facilities, and *to* award a grant of \$2,100,000 for a boat slip repair and reconstruction project in northeastern Wisconsin, if certain conditions are met.

*** ANALYSIS FROM -0122/1 ***

TRANSPORTATION**~~RAIL AND AIR TRANSPORTATION~~**

This bill allows DOT, through its Rail Passenger Route Development Program, to fund capital costs related to Amtrak service extension routes or other rail service routes between Chicago and Milwaukee and between Madison and La Crosse.

*** ANALYSIS FROM -1055/P1 ***

~~TRANSPORTATION~~**~~RAIL AND AIR TRANSPORTATION~~**

^{The} This bill also increases ^{the} ~~the~~ authorized general obligation bonding limit for the acquisition and improvement of rail property from \$32,500,000 to \$39,000,000.

*** ANALYSIS FROM -1890/1 ***

TRANSPORTATION**~~OTHER TRANSPORTATION~~**

This bill transfers from the transportation fund to the general fund \$250,000,000 in fiscal year 2005–06 and \$18,058,100 in fiscal year 2006–07.

EDUCATION**HIGHER EDUCATION**

This bill changes the funding source for several technical college system appropriations from the general fund to the transportation fund.

EMPLOYMENT

This bill changes the funding source for a DWD appropriation account for the Employment Transit Assistance Program, which funds projects to improve access to jobs in areas that are not served by an adequate mass transit system, from the general fund to the transportation fund.

ENVIRONMENT**AIR QUALITY**

This bill changes the funding source for an appropriation for administration of the Motor Vehicle Emission Inspection and Maintenance Program from the general fund to the transportation fund.

NATURAL RESOURCES**OTHER NATURAL RESOURCES**

This bill changes the funding source for an appropriation account for the costs of removal and disposal of car kill deer from highways and for an appropriation account for the maintenance and development of certain state park, forest, and Lower Wisconsin State Riverway roads from the general fund to the transportation fund.

STATE GOVERNMENT**OTHER STATE GOVERNMENT**

This bill changes the funding source for a DOJ appropriation account relating to the lease of certain computers from the general fund to the transportation fund.

TRANSPORTATION**OTHER TRANSPORTATION**

Under current law, DOT collects a supplemental vehicle title fee ~~in connection with applications for vehicle certificates of title~~ and the Department of Commerce ~~(Commerce)~~ collects a supplemental manufactured home title fee ~~in connection with applications for manufactured home certificates of title~~. These fees are deposited into the transportation fund. By October 1 of each year, DOT must certify to DOA the amount of these fees collected during the previous fiscal year and that amount, minus \$555,000, is transferred from the general fund to the environmental fund ~~on~~ ~~October 1 of each year~~.

Under this bill, this transfer mechanism is eliminated and these fees are deposited directly into the environmental fund for nonpoint source water pollution abatement.

VETERANS AND MILITARY AFFAIRS

This bill changes the funding source for several military affairs appropriations regarding emergency management from the general fund to the transportation fund.

***** ANALYSIS FROM -1591/2 *****

TRANSPORTATION

OTHER TRANSPORTATION

This bill creates a new appropriation in the segregated transportation fund for the purpose of providing state funds for the federal Soo Locks project.
 → provides transportation fund moneys

***** ANALYSIS FROM -1558/1 *****

TRANSPORTATION

OTHER TRANSPORTATION

This bill creates an appropriation to the Harbor Assistance Program for moneys received from the federal government. It also increases ~~this~~ ^{the} authorized general obligation bonding limit from \$28,000,000 to \$39,400,000 to provide grants for harbor improvements.
 ↓

***** ANALYSIS FROM -0321/2 *****

VETERANS AND MILITARY AFFAIRS

Under current law, an eligible veteran may receive a loan of up to \$25,000 from the veterans housing loan program ~~to improve his or her home, including making the home handicapped accessible or adding a garage to the home.~~ ^{home improvement} This bill removes the limit on the amount of the loan.

The bill ^{also provides that a} ~~adds~~ persons who completed ⁵ six continuous years under honorable conditions in the national guard or a reserve component of the U.S. armed forces ~~to those who are~~ ^{is} eligible to receive a housing loan.

Currently, a veteran may receive a housing loan ~~to refinance another loan. The loan may be used~~ to pay for balances due on a construction or bridge loan or for the payment of a loan if the loan's balance does not exceed the amount requested in the veteran's prior ^{loan} application and the debt was incurred after the veteran made an application ^{to the DVA} that was denied ^{by DVA}. This bill allows the use of a housing loan to refinance the balance due on any indebtedness as long as the previous loan was ^{obtained} incurred ^{for the same purposes as} for the same ~~type of use that~~ the program ^{covers}.

*** ANALYSIS FROM -0324/3 ***

Under current law, DVA may lend a veteran, a veteran's unremarried surviving spouse, or a deceased veteran's child up to \$25,000 for any use, but the loan must be repaid within ten years. ~~If the loan exceeds \$5,000, the loan must be secured by a mortgage on real estate located in this state.~~ ^{No ft} This bill authorizes ^{No ft}

~~Under the bill,~~ ^{to} DVA may adjust the maximum term of the loan based upon financial market conditions, funds available, needs of the trust fund, and other relevant factors.

*** ANALYSIS FROM -0328/3 ***

Under the current part-time classroom study program, DVA ~~provides~~ reimbursement ^{to} veterans for ~~the~~ costs associated with enrollment and completion of correspondence courses and class room study at proprietary schools, schools approved for the training of veterans, and institutions of higher education. Under

the current tuition reimbursement program, DVA provides reimbursement to a ^{tuition to} veteran who is enrolled as an undergraduate for at least 12 credits during a semester. ^{the veteran must begin the} Eligibility for the tuition reimbursement program is limited to courses ~~begin~~ within ten years after leaving active service, and the annual income of the veteran and the spouse may not exceed \$50,000 plus \$1,000 for each dependent in excess of two dependents. Reimbursement is limited to 120 credits or eight full semesters at an institution of higher education or 60 credits or four semesters if the institution provides a degree after the completion of 60 credits.

Under the part-time classroom study program, the reimbursement is limited to tuition paid for taking ^{fewer} ~~less~~ than 12 credits, if an undergraduate, or ^{fewer} ~~less~~ than nine credits, if a graduate student, for attending a summer session or for taking a correspondence class. The reimbursement amount and income eligibility are the same as for the full-time tuition reimbursement program. ^A Veterans with a master's degree ^{is} ~~are~~ not eligible for reimbursement ~~under this program~~.

This bill combines these two programs and makes the following changes ~~in the new, combined program~~:

1. Eligibility is limited to a veteran whose annual income combined with his or her spouse's income is less than the median household income for the state.
2. Veterans with undergraduate degrees are not eligible.
3. If funds are insufficient to ^{reimburse} provide for all of the veterans who apply for reimbursement, DVA may reduce the reimbursement percentage, except for courses taken by veterans whose ^{certain disabled} disability is rated at 30 percent or more by the federal Department of Veterans Affairs.

4. ~~The credits that are reimbursable are~~ ^{Reimbursement is} limited to 30 credits if the veteran served on active duty for 90 to 180 days, 60 credits if the veteran served for 181 days to 730 days, and 120 credits if the veteran served more than 730 days.

5. The limit on reimbursement to courses taken within ten years after leaving service does not apply to up to 60 credits of part-time classroom study courses.

***** ANALYSIS FROM -0329/3 *****

Under current law, DVA may grant aid to any incapacitated veteran or ~~a~~ dependent of a veteran in an amount that DVA determines is necessary to prevent want or distress. The aid ~~is limited to~~ ^{may be paid for no more than} three months in any 12-month period. Currently, DVA may grant temporary health care aid to a veteran or dependent of a veteran to meet medical or hospital bills. The amount of aid is limited to \$5,000 in any 12-month period and may be used to provide for the treatment of alcoholism or other drug addiction.

Under this bill, the aid is limited to incapacitated veterans and the maximum amount of aid that ~~DVA may grant~~ is \$2,000 in a 12-month period. The bill limits the payment for health care assistance to dental, vision, and hearing care, with a limit in a 12-month period of \$2,500 for dental care, \$500 for vision care, and \$1,500 for hearing care. The bill places a lifetime limit of \$5,000 on the amount that a veteran may receive under the program.

^{the} ***** ANALYSIS FROM -0326/1 *****

Current law prohibits admission of surviving spouses or parents of veterans to the southeastern facility for veterans at Union Grove, but permits ^{the} admission of those persons to the Wisconsin Veterans Home at King if the Board of Veterans Affairs ^(board) determines that the home's overall occupancy level is below an optimal level.

This bill allows surviving spouses or parents of veterans to be admitted to the southeastern facility for veterans at Union Grove under the same standard ^{that is} as used for admission to the Wisconsin Veterans Home at King.

*** ANALYSIS FROM -0322/1 ***

This bill raises the maximum amount of grants that DVA may ^{award} provide to the governing bodies of federally recognized American Indian tribes and bands from \$2,500 to \$10,000 for the purpose of employing tribal veterans' service officers.

*** ANALYSIS FROM -0325/1 ***

~~VETERANS AND MILITARY AFFAIRS~~

Under current law, DVA coordinates the provision of military honors funerals to deceased veterans by members of local veterans organizations and the national guard. As part of that program, DVA reimburses the local veterans organization an amount not to exceed \$50 for its costs in providing the military honors funeral.

^{will} This bill ^{eliminate} repeals the \$50 reimbursement ^{for such costs}.

This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.

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:

(END)

99A

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1694/3ins
RAC::

Insert Analysis:

WFF

This bill provides that for fiscal year 2005-06, the amount is \$40,000,000; for 2006-07, the amount is \$45,000,000; for fiscal year 2007-08, the amount is \$50,000,000; for fiscal year 2008-09, the amount is \$75,000,000; and for 2009-10 and each fiscal year thereafter, the amount is 2 percent of total general purpose revenue GPR appropriations for that fiscal year.

fiscal year

Insert 2-15:

SECTION 1. 20.003 (4) (fm) of the statutes is amended to read:

20.003 (4) (fm) For fiscal year 2005-06, ~~\$75,000,000~~ \$40,000,000.

History: 1977 c. 29; 1979 c. 34; 1981 c. 1, 20; 1981 s. 314 s. 146; 1981 c. 390; 1983 a. 27, 212; 1985 a. 29, 76, 120; 1985 a. 135 s. 85; 1985 a. 332 s. 253; 1987 a. 27; 1989 a. 336; 1993 a. 16; 1995 a. 27; 1999 a. 9, 83; 2001 a. 16, 106, 109; 2003 a. 33.

Insert 2-17:

SECTION 2. 20.003 (4) (ft) of the statutes is created to read:

20.003 (4) (ft) For fiscal year 2007-08, \$50,000,000.

SECTION 3. 20.003 (4) (fv) of the statutes is created to read:

20.003 (4) (fv) For fiscal year 2008-09, \$75,000,000.

1710
\$35,500,000

44A

DOA:.....Koskinen, BB0077 - Lottery Retailers Worker's Compensation Debt

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: contracts to sell lottery tickets.

Analysis by the Legislative Reference Bureau

GAMBLING

Under current law, DOR may ~~enter into~~ ^{contracting} contracts with retailers to sell lottery tickets. However, DOR may not ~~enter into lottery ticket sales contracts~~ with retailers who are ~~found~~ delinquent in paying state taxes or ~~who are delinquent~~ in making contributions to the unemployment reserve fund. This bill prohibits DOR from ~~entering into lottery ticket sales contracts~~ with retailers who owe payments to the work injury supplemental benefit fund as a result of the death or maiming of an employee or who owe payments to the uninsured employers fund (which is used to pay compensation to injured employees of employers who do not have worker's compensation insurance). (End insert 44A)

For further information see the *state* 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:

2 SECTION 1. 565.10 (3) (b) of the statutes is amended to read:

DOA:.....Milioto, BB0019 - Life Lease

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Currently, DHFS administers a Community Integration Program (commonly known as "CIP II"), under which ~~Medical Assistance (MA) moneys are~~ paid to counties to provide home and community-based services, under a waiver of federal Medicaid laws, to elderly and physically disabled persons who meet the level of care requirements for MA-reimbursed nursing home care or who are relocated from facilities. DHFS must establish a uniform daily rate for CIP II and reimburse counties up to that rate for each person enrolled in CIP II. DHFS may provide enhanced reimbursement for CIP II services for a person who is relocated to the community from a nursing home by a county if the nursing home bed used by the person is delicensed upon the person's relocation.

This bill authorizes DHFS to provide enhanced CIP II funding for home and community-based services to an MA-eligible person who relocates from a facility to the community, if the number of persons served does not exceed the number of nursing home beds delicensed as part of plans submitted by nursing homes and approved by DHFS.

SIA

to the community

people

is



SSA

DOA:.....Blaine, BB0192 - BadgerCare pharmacy waiver

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

start

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES
MEDICAL ASSISTANCE

Under BadgerCare

Under current law provides health care coverage for

Under current law, DHFS administers the Badger Care (BadgerCare) health care program under which certain low-income children who do not reside with a parent and certain low-income families receive health care coverage. A child or family with health care coverage under BadgerCare and with an income that is equal to or greater than 150 percent of the federal poverty level is required to contribute a percentage, which may not exceed 5 percent of income to the cost of the health care according to a schedule established by DHFS by rule. Current law requires a child or family with coverage under BadgerCare to 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. This copayment is included in the total cost sharing that a child or family may be required to pay.

of at least up to

Including

This bill directs DHFS to request one or more waivers from the secretary of the federal Department of Health and Human Services that would allow DHFS to implement cost-saving measures under BadgerCare that may include: 1) a three-tiered prescription drug copayment requirement that does not exceed the maximum copayment amount established by the Group Insurance Board for state employees; 2) a benchmark plan, which is described in federal regulations as health care coverage that is substantially equal to the health care coverage offered to federal

SeniorCare, which provides

or state employees or to a health insurance plan offered by a health maintenance organization that has the largest commercial enrollment in the state of persons who do not have coverage under ~~the Medical Assistance (MA) program~~; and 3) mandatory copayments for benefits in addition to the copayments for prescription drugs. The bill requires DHFS to seek enactment of statutory language that implements any cost-saving measures approved by the granting of a waiver.

Also under current law, when an MA recipient or a person with coverage under BadgerCare or ~~the program providing~~ prescription drug assistance for elderly persons (SeniorCare), purchases a prescription drug, he or she pays a copayment and then DHFS reimburses the pharmacy an amount that is based on a national average wholesale price, plus a percentage or amount for a dispensing fee. Under ~~the bill~~, DHFS must investigate alternatives to using ~~the average wholesale price pharmacy reimbursement methodology~~ for brand name drugs purchased or dispensed under MA, BadgerCare, and SeniorCare, and must ~~submit a report with~~ its findings, conclusions, and recommendations to DOA ~~no later than June 30, 2006.~~

For further information see the *state* 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 9121. Nonstatutory provisions; health and family services.

(1) WAIVER FOR COST-SAVING MEASURES UNDER THE BADGER CARE HEALTH CARE PROGRAM.

(a) The department of health and family services shall request one or more waivers from the secretary of the federal department of health and human services to permit the department of health and family services to implement cost-saving measures under the Badger Care health care program, including any of the following:

1. Establishing a 3-tiered prescription drug copayment requirement that does not exceed the maximum copayment amount established by the group insurance board for state employees.

2. Establishing a benchmark plan, as described in 42 CFR 457.420.

low-income

this

reimbursement for

this