

1 ***-1352/4.15*** SECTION 612. 20.917 (3) (b) of the statutes is amended to read:

2 20.917 (3) (b) This subsection applies to employees in all positions in the civil
3 service, including those employees in positions included in collective bargaining
4 units under subch. V or VI of ch. 111, whether or not the employees are covered by
5 a collective bargaining agreement.

6 ***-1261/5.148*** ***-1261/P3.107*** SECTION 613. 20.921 (2) (a) of the statutes is
7 amended to read:

8 20.921 (2) (a) Whenever it becomes necessary in pursuance of any federal or
9 state law or court-ordered assignment of income under s. 46.10 (14) (e), 49.345 (14)
10 (e), 301.12 (14) (e), 767.225 (1) (L), 767.513 (3), or 767.75 to make deductions from
11 the salaries of state officers or employees or employees of the University of Wisconsin
12 Hospitals and Clinics Authority, the state agency or authority by which the officers
13 or employees are employed is responsible for making such those deductions and
14 paying over the total thereof of those deductions for the purposes provided by the
15 laws or orders under which they were made.

16 ***-1403/2.7*** SECTION 614. 20.923 (4) (b) 6. of the statutes is amended to read:

17 20.923 (4) (b) 6. Parole Earned release review commission: chairperson.

18 ***-1416/6.11*** SECTION 615. 20.923 (4) (b) 7. of the statutes is amended to read:

19 20.923 (4) (b) 7. Sentencing commission: ~~executive~~ Bureau of criminal justice
20 research: staff director.

 ***NOTE: This is reconciled s. 20.923 (4) (b) 7. This SECTION has been affected by
 drafts with the following LRB numbers: -1416/5 and -1633/P6

21 ***-1475/5.1*** SECTION 616. 20.923 (4)(d) 7. of the statutes is renumbered 20.923

22 (4) (f) 7t.

1 *-1475/5.2* SECTION 617. 20.923 (4) (d) 10s. of the statutes is renumbered
2 20.923 (4) (f) 8m.

3 *-1475/5.3* SECTION 618. 20.923 (4) (e) 5. of the statutes is renumbered 20.923
4 (4) (f) 7v.

5 *-1475/5.4* SECTION 619. 20.923 (4) (e) 7. of the statutes is renumbered 20.923
6 (4) (f) 8e.

7 *-1475/5.5* SECTION 620. 20.923 (4) (e) 10. of the statutes is renumbered
8 20.923 (4) (f) 8h.

9 *-1261/5.149* *-1261/P3.108* SECTION 621. 20.923 (4) (f) 2d. of the statutes
10 is created to read:

11 20.923 (4) (f) 2d. Children and families, department of: secretary.

12 *-1475/5.6* SECTION 622. 20.923 (4) (f) 2g. of the statutes is renumbered
13 20.923 (4) (h) 2g.

14 *-1475/5.7* SECTION 623. 20.923 (4) (f) 4. of the statutes is renumbered 20.923
15 (4) (g) 6.

16 *-1475/5.8* SECTION 624. 20.923 (4) (h) 5. of the statutes is created to read:
17 20.923 (4) (h) 5. Health and family services, department of: secretary.

18 *-1475/5.9* SECTION 625. 20.923 (4) (i) of the statutes is repealed.

19 *-1352/4.16* SECTION 626. 20.923 (6) (intro.) of the statutes is amended to
20 read:

21 20.923 (6) SALARIES SET BY APPOINTING AUTHORITIES. (intro.) Salaries for the
22 following positions may be set by the appointing authority, subject to restrictions
23 otherwise set forth in the statutes and the compensation plan under s. 230.12, except
24 where the salaries are a subject of bargaining with a certified representative of a
25 collective bargaining unit under s. 111.91 or 111.998:

1 ***-1261/5.150*** ***-1261/P3.109*** SECTION 627. 20.923 (6) (bd) of the statutes is
2 amended to read:

3 20.923 (6) (bd) ~~Health and family services~~ Children and families, department
4 of: director of the office of urban development.

5 ***-1416/6.12*** SECTION 628. 20.923 (6) (hr) of the statutes is amended to read:

6 20.923 (6) (hr) ~~Sentencing commission~~ Bureau of criminal justice research:
7 deputy staff director.

 ****NOTE: This is reconciled s. 20.923 (6) (hr). This SECTION has been affected by
 drafts with the following LRB numbers: -1416/5 and -1633/P6.

8 ***-1475/5.10*** SECTION 629. 20.923 (12) of the statutes is amended to read:

9 20.923 (12) OTHER DEPARTMENT OF REGULATION AND LICENSING POSITIONS. The
10 salaries for division administrators and bureau directors appointed under s. 440.04
11 (6) shall not exceed the maximum of the salary range for executive salary group 1 ~~3~~.

12 ***-1524/P3.9*** SECTION 630. 20.927 (1m) of the statutes is amended to read:

13 20.927 (1m) Except as provided under subs. (2) and (3), no funds of this state
14 or of any county, city, village, town or ~~family long-term~~ care district under s. 46.2895
15 or of any subdivision or agency of this state or of any county, city, village or town and
16 no federal funds passing through the state treasury shall be authorized for or paid
17 to a physician or surgeon or a hospital, clinic or other medical facility for the
18 performance of an abortion.

19 ***-1524/P3.10*** SECTION 631. 20.9275 (1) (b) of the statutes is amended to read:

20 20.9275 (1) (b) "Local governmental unit" means a city, village, town, county
21 or ~~family long-term~~ care district under s. 46.2895 or an agency or subdivision of a
22 city, village, town, or county.

1 ***-1261/5.151*** ***-1261/P3.110*** SECTION 632. 20.9275 (2) (intro.) of the
2 statutes is amended to read:

3 20.9275 (2) (intro.) No state agency or local governmental unit may authorize
4 payment of funds of this state, of any local governmental unit or, subject to sub. (3m),
5 of federal funds passing through the state treasury as a grant, subsidy or other
6 funding that wholly or partially or directly or indirectly involves pregnancy
7 programs, projects or services, that is a grant, subsidy or other funding under s.
8 ~~46.99, 46.995, 48.487, 48.545~~, 253.05, 253.07, 253.08, or 253.085 or 42 USC 701 to
9 710, if any of the following applies:

10 ***-1352/4.17*** SECTION 633. 20.928 (1) of the statutes is amended to read:

11 20.928 (1) Each state agency head shall certify to the department of
12 administration, at such time and in such manner as the secretary of administration
13 prescribes, the sum of money needed by the state agency from the appropriations
14 under s. 20.865 (1) (c), (ci), (cm), (cj), (d), (i), (ic), (im), (j), (s), (si), (sm), and (t). Upon
15 receipt of the certifications together with such additional information as the
16 secretary of administration prescribes, the secretary shall determine the amounts
17 required from the respective appropriations to supplement state agency budgets.

18 ***-0444/P2.3*** SECTION 634. 20.931 of the statutes is created to read:

19 **20.931 False claims; actions by or on behalf of state.** (1) In this section:

20 (a) "Authority" has the meaning given in s. 16.70 (2).

21 (b) "Claim" includes any request or demand for money, property, or services
22 made to any officer, employee, or agent of this state, or to any contractor, grantee, or
23 other recipient, whether or not under contract, if any portion of the money, property,
24 or services that are requested or demanded is derived from state resources, or if the

1 state is obligated to reimburse the contractor, grantee, or other recipient for any
2 portion of the money, property, or services that are requested or demanded.

3 (c) "Employer" includes all agencies and authorities.

4 (d) "Knowingly" means, with respect to information, having actual knowledge
5 of the information, acting in deliberate ignorance of the truth or falsity of the
6 information, or acting in reckless disregard of the truth or falsity of the information.

7 "Knowingly" does not mean specifically intending to defraud.

8 (e) "Proceeds" includes damages, civil penalties, surcharges, payments for costs
9 of compliance, and any other economic benefit realized by this state as a result of an
10 action or settlement of a claim.

11 (f) "State public official" has the meaning given in s. 19.42 (14).

12 (2) Except as provided in subs. (3) and (4), any person who does any of the
13 following is liable to this state for 3 times the amount of the damages sustained by
14 this state because of the actions of the person, and shall forfeit not less than \$5,000
15 nor more than \$10,000 for each violation:

16 (a) Knowingly presents or causes to be presented to any officer, employee, or
17 agent of this state, or to any contractor, grantee, or other recipient of state resources,
18 a false claim for payment or approval.

19 (b) Knowingly makes, uses, or causes to be made or used a false record or
20 statement to obtain approval or payment of a false claim.

21 (c) Conspires to defraud this state by obtaining allowance or payment of a false
22 claim, or by knowingly making or using, or causing to be made or used, a false record
23 or statement to conceal, avoid, or decrease an obligation to pay or transmit money
24 or property to this state.

1 (d) Has possession, custody, or control of property used or to be used by this
2 state and knowingly delivers or causes to be delivered less property than the amount
3 for which the person receives a certificate or receipt.

4 (e) Being authorized to make or deliver a document certifying receipt of
5 property that is used or to be used by this state, knowingly makes or delivers a receipt
6 that falsely represents the property that is used or to be used.

7 (f) Knowingly buys or receives as a pledge for payment of an obligation or debt
8 for this state property from any person who lawfully may not sell or pledge the
9 property.

10 (g) Knowingly makes, uses, or causes to be made or used a false record or
11 statement to conceal, avoid, or decrease any obligation to pay or transmit money or
12 property to this state.

13 (h) Is a beneficiary of the submission of a false claim to any officer, employee,
14 or agent of this state, or to any contractor, grantee, or other recipient of state
15 resources, knows that the claim is false, and fails to disclose the false claim to this
16 state within a reasonable time after the person becomes aware that the claim is false.

17 (3) The court may assess against a person who violates sub. (2) not less than
18 2 nor more than 3 times the amount of the damages sustained by the state because
19 of the acts of the person, and shall not assess any forfeiture, if the court finds all of
20 the following:

21 (a) The person who commits the acts furnished the attorney general with all
22 information known to the person about the acts within 30 days after the date on
23 which the person obtained the information.

24 (b) The person fully cooperated with any investigation of the acts by this state.

1 (c) At the time that the person furnished the attorney general with information
2 concerning the acts, no criminal prosecution or civil or administrative enforcement
3 action had been commenced with respect to any such act, and the person did not have
4 actual knowledge of the existence of any investigation into any such act.

5 (4) Subsections (1) to (3) do not apply to any claim, record, statement, or return
6 made under chs. 70 to 79.

7 (5) (a) Except as provided in subs. (10) and (12), any person may bring a civil
8 action as a qui tam plaintiff against a person who commits an act in violation of sub.
9 (2) for the person and the state in the name of the state.

10 (b) The plaintiff shall serve upon the attorney general a copy of the complaint
11 and documents disclosing substantially all material evidence and information that
12 the person possesses. The plaintiff shall file a copy of the complaint with the court
13 for inspection in camera. Except as provided in par. (c), the complaint shall remain
14 under seal for a period of 60 days from the date of filing, and shall not be served upon
15 the defendant until the court so orders. Within 60 days from the date of service upon
16 the attorney general of the complaint, evidence, and information under this
17 paragraph, the attorney general may intervene in the action.

18 (c) The attorney general may, for good cause shown, move the court for one or
19 more extensions of the period during which a complaint in an action under this
20 subsection remains under seal.

21 (d) Before the expiration of the period during which the complaint remains
22 under seal, the attorney general shall do one of the following:

23 1. Proceed with the action or an alternate remedy under sub. (10), in which case
24 the action or proceeding under sub. (10) shall be prosecuted by the state.

1 2. Notify the court that he or she declines to proceed with the action, in which
2 case the person bringing the action may proceed with the action.

3 (e) If a person brings a valid action under this subsection, no person other than
4 the state may intervene or bring a related action while the original action is pending
5 based upon the same facts underlying the pending action.

6 (f) In any action or other proceeding under sub. (10) brought under this
7 subsection, the plaintiff is required to prove all essential elements of the cause of
8 action or complaint, including damages, by a preponderance of the evidence.

9 (6) If the state proceeds with an action under sub. (5) or an alternate remedy
10 under sub. (10), the state has primary responsibility for prosecuting the action or
11 proceeding under sub. (10). The state is not bound by any act of the person bringing
12 the action, but that person has the right to continue as a party to the action, subject
13 to the limitations under sub. (7).

14 (7) (a) The state may move to dismiss an action under sub. (5) or an
15 administrative proceeding under sub. (10) to which the state is a party for good cause
16 shown, notwithstanding objection of the person bringing the action, if that person is
17 served with a copy of the state's motion and is provided with an opportunity to oppose
18 the motion before the court or the administrative agency before which the proceeding
19 is conducted.

20 (b) With the approval of the governor, the attorney general may compromise
21 and settle an action under sub. (5) or an administrative proceeding under sub. (10)
22 to which the state is a party, notwithstanding objection of the person bringing the
23 action, if the court determines, after affording to the person bringing the action the
24 right to a hearing at which the person is afforded the opportunity to present evidence
25 in opposition to the proposed settlement, that the proposed settlement is fair,

1 adequate, and reasonable considering the relevant circumstances pertaining to the
2 violation.

3 (c) Upon a showing by the state that unrestricted participation in the
4 prosecution of an action under sub. (5) or an alternate proceeding to which the state
5 is a party by the person bringing the action would interfere with or unduly delay the
6 prosecution of the action or proceeding, or would result in consideration of
7 repetitious or irrelevant evidence or evidence presented for purposes of harassment,
8 the court may limit the person's participation in the prosecution, such as:

- 9 1. Limiting the number of witnesses that the person may call.
- 10 2. Limiting the length of the testimony of the witnesses.
- 11 3. Limiting the cross-examination of witnesses by the person.
- 12 4. Otherwise limiting the participation by the person in the prosecution of the
13 action or proceeding.

14 (d) Upon showing by a defendant that unrestricted participation in the
15 prosecution of an action under sub. (5) or alternate proceeding under sub. (10) to
16 which the state is a party by the person bringing the action would result in
17 harassment or would cause the defendant undue burden or unnecessary expense, the
18 court may limit the person's participation in the prosecution.

19 (8) Except as provided in sub. (7), if the state elects not to participate in an
20 action filed under sub. (5), the person bringing the action may prosecute the action.

21 If the attorney general so requests, the attorney general shall, at the state's expense,
22 be served with copies of all pleadings and deposition transcripts in the action. If the
23 person bringing the action initiates prosecution of the action, the court, without
24 limiting the status and rights of that person, may permit the state to intervene at a
25 later date upon showing by the state of good cause for the proposed intervention.

1 (9) Whether or not the state participates in an action under sub. (5), upon
2 showing in camera by the attorney general that discovery by the person bringing the
3 action would interfere with the state's ongoing investigation or prosecution of a
4 criminal or civil matter arising out of the same facts as the facts upon which the
5 action is based, the court may stay such discovery in whole or in part for a period of
6 not more than 60 days. The court may extend the period of any such stay upon
7 further showing in camera by the attorney general that the state has pursued the
8 criminal or civil investigation of the matter with reasonable diligence and the
9 proposed discovery in the action brought under sub. (5) will interfere with the
10 ongoing criminal or civil investigation or prosecution.

11 (10) The attorney general may pursue a claim relating to an alleged violation
12 of sub. (2) through an alternate remedy available to the state or any state agency,
13 including an administrative proceeding to assess a civil forfeiture. If the attorney
14 general elects any such alternate remedy, the attorney general shall serve timely
15 notice of his or her election upon the person bringing the action under sub. (5), and
16 that person has the same rights in the alternate venue as the person would have had
17 if the action had continued under sub. (5). Any finding of fact or conclusion of law
18 made by a court or by a state agency in the alternate venue that has become final is
19 conclusive upon all parties named in an action under sub. (5). For purposes of this
20 subsection, a finding or conclusion is final if it has been finally determined on appeal,
21 if all time for filing an appeal or petition for review with respect to the finding or
22 conclusion has expired, or if the finding or conclusion is not subject to judicial review.

23 (11) (a) Except as provided in pars. (b) and (e), if the state proceeds with an
24 action brought by a person under sub. (5) or the state pursues an alternate remedy
25 relating to the same acts under sub. (10), the person who brings the action shall

1 receive at least 15 percent but not more than 25 percent of the proceeds of the action
2 or settlement of the claim, depending upon the extent to which the person
3 contributed to the prosecution of the action or claim.

4 (b) Except as provided in par. (e), if an action or claim is one in which the court
5 or other adjudicator finds to be based primarily upon disclosures of specific
6 information not provided by the person who brings an action under sub. (5) relating
7 to allegations or transactions specifically in a criminal, civil, or administrative
8 hearing, or in a legislative or administrative report, hearing, audit, or investigation,
9 or report made by the news media, the court or other adjudicator may award such
10 amount as it considers appropriate, but not more than 10 percent of the proceeds of
11 the action or settlement of the claim, depending upon the significance of the
12 information and the role of the person bringing the action in advancing the
13 prosecution of the action or claim.

14 (c) Except as provided in par. (e), in addition to any amount received under par.
15 (a) or (b), a person bringing an action under sub. (5) shall be awarded his or her
16 reasonable expenses necessarily incurred in bringing the action together with the
17 person's costs and reasonable actual attorney fees. The court or other adjudicator
18 shall assess any award under this paragraph against the defendant.

19 (d) Except as provided in par. (e), if the state does not proceed with an action
20 or an alternate proceeding under sub. (10), the person bringing the action shall
21 receive an amount that the court decides is reasonable for collection of the civil
22 penalty and damages. The amount shall be not less than 25 percent and not more
23 than 30 percent of the proceeds of the action and shall be paid from the proceeds. In
24 addition, the person shall be paid his or her expenses, costs, and fees under par. (c).

1 (e) Whether or not the state proceeds with the action or an alternate proceeding
2 under sub. (10), if the court or other adjudicator finds that an action under sub. (5)
3 was brought by a person who planned or initiated the violation upon which the action
4 or proceeding is based, then the court may, to the extent that the court considers
5 appropriate, reduce the share of the proceeds of the action that the person would
6 otherwise receive under par. (a), (b), or (d), taking into account the role of that person
7 in advancing the prosecution of the action or claim and any other relevant
8 circumstance pertaining to the violation, except that if the person bringing the action
9 is convicted of criminal conduct arising from his or her role in a violation of sub. (2),
10 the court or other adjudicator shall dismiss the person as a party and the person shall
11 not receive any share of the proceeds of the action or claim or any expenses, costs, and
12 fees under par. (c).

13 (12) (a) No court has jurisdiction over an action brought by a private person
14 under sub. (5) against a state public official if the action is based upon information
15 known to the attorney general at the time that the action is brought.

16 (b) No person may bring an action under sub. (5) that is based upon allegations
17 or transactions that are the subject of a civil action or an administrative proceeding
18 to assess a civil forfeiture in which the state is a party if that action or proceeding
19 was commenced prior to the date that the action is filed.

20 (13) The state is not liable for any expenses incurred by a private person in
21 bringing an action under sub. (5).

22 (14) Any employee who is discharged, demoted, suspended, threatened,
23 harassed, or in any other manner discriminated against by his or her employer
24 because of lawful actions taken by the employee, on behalf of the employee, or by
25 others in furtherance of an action or claim filed under this section, including

1 investigation for, initiation of, testimony for, or assistance in an action or claim filed
2 or to be filed under sub. (5) is entitled to all necessary relief to make the employee
3 whole. Such relief shall in each case include reinstatement with the same seniority
4 status that the employee would have had but for the discrimination, 2 times the
5 amount of back pay, interest on the back pay at the legal rate, and compensation for
6 any special damages sustained as a result of the discrimination, including costs and
7 reasonable actual attorney fees. An employee may bring an action to obtain the relief
8 to which the employee is entitled under this subsection.

9 (15) A civil action may be brought based upon acts occurring prior to the
10 effective date of this subsection [revisor inserts date], if the action is brought
11 within the period specified in s. 893.981.

12 (16) A judgment of guilty entered against a defendant in a criminal action in
13 which the defendant is charged with fraud or making false statements estops the
14 defendant from denying the essential elements of the offense in any action under sub.
15 (5) that involves the same elements as in the criminal action.

16 (17) The remedies provided for under this section are in addition to any other
17 remedies provided for under any other law or available under the common law.

18 (18) This section shall be liberally construed and applied to promote the public
19 interest and to effect the congressional intent in enacting 31 USC 3279 to 3733, as
20 reflected in the act and the legislative history of the act.

21 ***-1406/3.2* SECTION 635.** 23.09 (19) (d) of the statutes is amended to read:

22 23.09 (19) (d) Grants Except as provided in s. 23.096 (2m), grants under this
23 subsection shall be for up to 50% of the acquisition costs of the land or the rights in
24 land for the urban green space. The governmental unit is responsible for the
25 remainder of the acquisition costs.

1 ***-1406/3.3* SECTION 636.** 23.09 (20) (b) of the statutes is amended to read:

2 23.09 (20) (b) State Except as provided in s. 23.096 (2m), state aid under this
3 subsection is limited to no more than 50% of the acquisition costs and the
4 development costs of recreation lands and other outdoor recreation facilities. Costs
5 associated with operation and maintenance of parks and other outdoor recreational
6 facilities established under this subsection are not eligible for state aid.
7 Administrative costs of acquiring lands or land rights are not included in the
8 acquisition costs eligible for state aid under this subsection. Title to lands or rights
9 in lands acquired by a municipality under this subsection shall vest in the
10 municipality, but such land shall not be converted to uses inconsistent with this
11 subsection without prior approval of the state and proceeds from the sale or other
12 disposal of such lands shall be used to promote the objectives of this subsection.

13 ***-1406/3.4* SECTION 637.** 23.09 (20m) (b) of the statutes is amended to read:

14 23.09 (20m) (b) The department shall establish a program to award grants
15 from the appropriation under s. 20.866 (2) (ta) to governmental units and nonprofit
16 conservation organizations to acquire development rights in land for nature-based
17 outdoor recreation. The Except as provided s. 23.096 (2m), the grants shall be limited
18 to no more than 50% of the acquisition costs of the development rights.

19 ***-1406/3.5* SECTION 638.** 23.0917 (3) (a) of the statutes is amended to read:

20 23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
21 2009-10 2019-20, the department may obligate moneys under the subprogram for
22 land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and
23 grants for these purposes under s. 23.096, except as provided under ss. 23.197 (2m),
24 (3m) (b), (7m), and (8) and 23.198 (1) (a).

25 ***-1406/3.6* SECTION 639.** 23.0917 (3) (bm) of the statutes is amended to read:

1 23.0917 (3) (bm) During the period beginning with fiscal year 2001-02 and
2 ending with fiscal year ~~2009-10~~ 2019-20, in obligating money under the subprogram
3 for land acquisition, the department shall set aside not less than a total of \$ 2,000,000
4 that may be obligated only to provide matching funds for grants awarded to the
5 department for the purchase of land or easements under 16 USC 2103c.

6 ***-1406/3.7* SECTION 640.** 23.0917 (3) (br) of the statutes is created to read:

7 23.0917 (3) (br) Beginning with fiscal year 2010-11 and ending with fiscal year
8 2019-20, in obligating moneys under the subprogram for land acquisition, the
9 department shall set aside in each fiscal year not less than \$14,500,000 that may be
10 obligated only to provide for grants awarded to nonprofit conservation organizations
11 under s. 23.096.

12 ***-1406/3.8* SECTION 641.** 23.0917 (3) (dm) 3. of the statutes is created to read:

13 23.0917 (3) (dm) 3. For each fiscal year beginning with 2010-11 and ending
14 with fiscal year 2019-20, \$79,000,000.

15 ***-1406/3.9* SECTION 642.** 23.0917 (4) (a) of the statutes is amended to read:

16 23.0917 (4) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
17 ~~2009-10~~ 2019-20, the department may obligate moneys under the subprogram for
18 property development and local assistance. Moneys obligated under this
19 subprogram may be only used for nature-based outdoor recreation, except as
20 provided under par. (cm).

21 ***-1406/3.10* SECTION 643.** 23.0917 (4) (d) 1. of the statutes is amended to read:

22 23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in
23 fiscal year 2000-01 and not more than \$11,500,000 in fiscal year 2001-02 under the
24 subprogram except as provided in sub. (5). For each fiscal year beginning with
25 2002-03 and ending with fiscal year 2009-10, the department may obligate not more

1 than \$15,000,000 under the subprogram except as provided in sub. (5). For each
2 fiscal year beginning with 2010-11 and ending with fiscal year 2019-20, the
3 department may obligate not more than \$26,000,000 under the subprogram except
4 as provided in sub. (5).

5 ***-1406/3.11* SECTION 644.** 23.0917 (4) (d) 2. of the statutes is amended to read:

6 23.0917 (4) (d) 2. The department may obligate not more than \$8,000,000
7 \$14,000,000 in each fiscal year for local assistance.

8 ***-1406/3.12* SECTION 645.** 23.0917 (7) (a) of the statutes is amended to read:

9 23.0917 (7) (a) Except as provided in pars. (b) and (c), for purposes of
10 calculating the acquisition costs for acquisition of land under ss. 23.09 (19), (20) and
11 (20m), 23.092 (4), 23.094 (3g), 23.0953, 23.096, 30.24 (4) and 30.277 from the
12 appropriation under s. 20.866 (2) (ta), the acquisition costs shall equal the sum of the
13 land's current fair market value and other acquisition costs, as determined by rule
14 by the department.

15 ***-1406/3.13* SECTION 646.** 23.0917 (12) of the statutes is amended to read:

16 23.0917 (12) EXPENDITURES AFTER JUNE 30, ~~2010~~ 2020. If the remaining bonding
17 authority for a subprogram under sub. (3) or (4) on June 30, ~~2010~~ 2020, is an amount
18 greater than zero, the department may expend any portion of this remaining bonding
19 authority for that subprogram in one or more subsequent fiscal years.

20 ***-1406/3.14* SECTION 647.** 23.092 (1) of the statutes is renumbered 23.092
21 (1m).

22 ***-1406/3.15* SECTION 648.** 23.092 (1b) of the statutes is created to read:

23 23.092 (1b) In this section, "nonprofit conservation organization" has the
24 meaning given in s. 23.0955 (1).

25 ***-1406/3.16* SECTION 649.** 23.092 (2) of the statutes is amended to read:

1 23.092 (2) For each area designated under sub. (1) (1m), the department shall
2 prepare a plan, based upon the specific qualities of the area designated, that is
3 designed to protect, enhance or restore the habitat in the designated area. After
4 preparation of a plan for a designated area, the department shall encourage
5 landowners to use specific management practices that are designed to implement the
6 plan.

7 *-1406/3.17* **SECTION 650.** 23.092 (4) of the statutes is amended to read:

8 23.092 (4) The department may share the costs of implementing land
9 management practices with landowners, or with nonprofit conservation
10 organizations that are qualified to enhance wildlife-based recreation if these
11 organizations have the landowner's permission to implement the practices. The
12 department may share the costs of acquiring easements for habitat areas with
13 landowners or with these nonprofit conservation organizations. If the funding for
14 cost-sharing under this subsection will be expended from the appropriation under
15 s. 20.866 (2) (ta), the amount expended for the cost-sharing may not exceed 50% of
16 the cost of the management practices or of the acquisition costs for the easement
17 except as provided in s. 23.096 (2m).

18 *-1406/3.18* **SECTION 651.** 23.094 (3m) of the statutes is amended to read:

19 23.094 (3m) LIMITS. A Except as provided in s. 23.096 (2m), a grant under sub.
20 (3g) may not exceed 50% of the acquisition costs for the land or the easement.

21 *-1406/3.19* **SECTION 652.** 23.0953 of the statutes is created to read:

22 **23.0953 Grants to counties for land acquisition.** (1) In this section,
23 “nature-based outdoor recreation” has the meaning given by the department by rule
24 under s. 23.0917 (4) (f).

SECTION 652

1 (2) The department shall establish a program from the appropriation under s.
2 20.866 (2) (ta) to make grants to counties to acquire land for nature-based outdoor
3 recreation. For purposes of s. 23.0917, moneys provided from the appropriation
4 under s. 20.866 (2) (ta) shall be treated as moneys obligated from the subprogram
5 under s. 23.0917 (3).

6 (3) Each county receiving a grant under this section shall provide matching
7 funds that equal at least 50 percent of the acquisition costs.

8 (4) A county unit may not convert the land or the rights in the land acquired
9 using grant moneys awarded under this subsection to a use that is inconsistent with
10 the type of nature-based outdoor recreation for which the grant was awarded
11 without the approval of the natural resources board.

12 ***-1406/3.20* SECTION 653.** 23.096 (2) (b) of the statutes is amended to read:

13 23.096 (2) (b) A Except as provided in sub. (2m), a grant awarded under this
14 section may not exceed 50% of the acquisition costs of the property.

15 ***-1406/3.21* SECTION 654.** 23.096 (2m) of the statutes is created to read:

16 23.096 (2m) Notwithstanding sub. (2) (b), in each fiscal year beginning with
17 fiscal year 2010-11, the department may award grants under this section that equal
18 up to 75 percent of the acquisition costs of the property if the natural resources board
19 determines that all of the following apply:

20 (a) That the property is uniquely valuable in conserving the natural resources
21 of the state.

22 (b) That delaying or deferring the acquisition until 50 percent of the acquisition
23 costs are procured by the nonprofit conservation organization is not reasonably
24 possible.

1 (c) That sufficient bonding authority remains in the amount set aside under s.
2 23.0917 (3) (br) for that fiscal year after awarding grants to nonprofit conservation
3 organizations that meet the matching requirement under sub. (2) (b).

4 ***-1278/3.8* SECTION 655.** 23.15 (1) of the statutes is amended to read:

5 23.15 (1) The natural resources board may sell, at public or private sale, lands
6 and structures owned by the state under the jurisdiction of the department of natural
7 resources, except central or district office facilities, when the natural resources board
8 determines that said lands are no longer necessary for the state's use for
9 conservation purposes and, if real property, the real property is not the subject of a
10 petition under s. 560.9810 (2).

11 ***-1632/2.1* SECTION 656.** 23.197 (10) of the statutes is created to read:

12 23.197 (10) MIRROR LAKE; BOATING ACCESS. From the appropriation under s.
13 20.866 (2) (ta), the department shall provide funding in an amount not to exceed
14 \$1,000,000 to improve navigability for recreational boating in Mirror Lake in Sauk
15 County and in the streams flowing into the lake. For the purposes of s. 23.0917,
16 moneys provided under this subsection from the appropriation under s. 20.866 (2)
17 (Ta) shall be treated as moneys obligated under either or both of the subprograms
18 under s. 23.0917 (3) and (4).

19 ***-1406/3.22* SECTION 657.** 23.1985 of the statutes is amended to read:

20 **23.1985 Acquisition of certain public lands.** Beginning in fiscal year
21 2006-07 and ending in fiscal year ~~2009-10~~ 2019-20, from the appropriation under
22 s. 20.866 (2) (ta), the department shall set aside \$2,000,000 in each fiscal year that
23 may be obligated only to acquire land from the board of commissioners of public lands
24 under s. 24.59 (1). If the department sets aside, but does not obligate moneys in a
25 fiscal year under this section, the department may obligate those nonobligated

1 moneys in a subsequent fiscal year under this section in addition to the amounts the
2 department is required to set aside for that subsequent fiscal year. For purposes of
3 s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
4 treated as moneys obligated under the subprogram under s. 23.0917 (3).

5 ***-1510/3.2* SECTION 658.** 23.22 (2) (b) 6. of the statutes is amended to read:

6 23.22 (2) (b) 6. Promulgate rules to identify, classify, and control invasive
7 species for purposes of the program. In promulgating these rules, the department
8 shall consider the recommendations of the council under sub. (3) (a). As part of these
9 rules, the department may establish procedures and requirements for issuing
10 permits to control invasive species.

11 ***-1473/4.1* SECTION 659.** 23.22 (2) (c) of the statutes is amended to read:

12 23.22 (2) (c) Under the program established under par. (a), the department
13 shall promulgate rules to establish a procedure to award cost-sharing grants to
14 public and private entities for up to ~~50%~~ 75 percent of the costs of projects to control
15 invasive species. The rules promulgated under this paragraph shall establish
16 criteria for determining eligible projects and eligible grant recipients. Eligible
17 projects shall include education and inspection activities at boat landings. The rules
18 shall allow cost-share contributions to be in the form of money or in-kind goods or
19 services or any combination thereof. In promulgating these rules, the department
20 shall consider the recommendations of the council under sub. (3) (c). From the
21 appropriation under s. 20.370 (6) (ar), the department shall make available in each
22 fiscal year \$1,500,000 for cost-sharing grants ~~to be awarded to local governmental~~
23 ~~units for the control of invasive species that are aquatic species \$1,000,000 in fiscal~~
24 ~~year 2005-06 and \$1,500,000 in fiscal year 2006-07 and each fiscal year thereafter.~~

****NOTE: This is reconciled s. 23.22 (2) (c). This SECTION has been affected by drafts with the following LRB numbers: -1472/1 and 1473/3.

1 ***-1510/3.3* SECTION 660.** 23.22 (8) of the statutes is created to read:

2 23.22 (8) PENALTIES. (a) Except as provided in pars. (b) and (c), any person who
3 violates a rule promulgated under sub. (2) (b) 6., or any permit issued under those
4 rules, shall forfeit not more than \$200.

5 (b) Any person who intentionally violates any rule promulgated under sub. (2)
6 (b) 6. or any permit issued under those rules shall be fined not less than \$1,000 nor
7 more than \$5,000, or shall be imprisoned for not less than 6 months nor more than
8 9 months or both.

9 (c) A person who violates a rule promulgated under sub. (2) (b) 6. or any permit
10 issued under those rules and who, within 5 years before the arrest of the current
11 conviction, was previously convicted of a violation of a rule promulgated under sub.
12 (2) (b) 6. or any permit issued under those rules shall be fined not less than \$700 nor
13 more than \$2,000 or shall be imprisoned for not less than 6 months nor more than
14 9 months or both.

15 (d) The court may order a person who is convicted under par. (a), (b), or (c) to
16 abate any nuisance caused by the violation, restore any natural resource damaged
17 by the violation, or take other appropriate action to eliminate or minimize any
18 environmental damage caused by the violation.

19 ***-1510/3.4* SECTION 661.** 23.22 (9) of the statutes is created to read:

20 23.22 (9) ENFORCEMENT. (a) If the department of natural resources finds that
21 any person is violating a rule promulgated under sub. (2) (b) 6. or a permit issued
22 under those rules for which the person is subject to a forfeiture under sub. (8) (a), the
23 department of natural resources may do one or more of the following:

1 1. Issue a citation pursuant to s. 23.50 to 23.99.

2 2. Refer the matter to the department of justice for enforcement under par. (b).

3 3. Revoke a permit issued under the rules promulgated under sub. (2) (b) 6.,
4 after notice and opportunity for hearing.

5 (b) The department of justice shall initiate an enforcement action requested by
6 the department under par. (a) 2. The enforcement action may include a request for
7 injunctive relief. In any action initiated by it under this paragraph, the department
8 of justice shall, prior to stipulation, consent order, judgment, or other final
9 disposition of the case, consult with the department of natural resources for the
10 purpose of determining the department's views on final disposition. The department
11 of justice shall not enter into a final disposition different than that previously
12 discussed without first informing the department of natural resources.

13 (c) In an action initiated pursuant to a citation or initiated under par. (b), the
14 court may award, as an additional penalty, an amount equal to all or a portion of the
15 costs of investigation, including any monitoring, incurred by the department of
16 natural resources or the department of justice, which led to the establishment of the
17 violation. The court may also award the department of justice the reasonable and
18 necessary expenses of the prosecution, including attorney fees. The department of
19 justice shall deposit in the state treasury for deposit into the general fund all moneys
20 that the court awards to the department of justice under this paragraph. These
21 moneys shall be credited to the appropriation account under s. 20.455 (1) (gh).

22 *-1510/3.5* SECTION 662. 23.24 (6) (b) of the statutes is amended to read:

23 23.24 (6) (b) A person who violates sub. (3) and who, within 5 years before the
24 arrest of the current conviction, was previously convicted of a violation of sub. (3)

1 shall ~~forfeit be fined~~ not less than \$700 nor more than \$2,000 or shall be imprisoned
2 for not less than 6 months nor more than 9 months or both.

3 ~~...~~ ***-0394/2.2* SECTION 663.** 23.33 (5) (d) of the statutes is amended to read:

4 ~~...~~ **23.33 (5) (d) *Safety certification program established.*** The department shall
5 establish or supervise the establishment of a program of instruction on all-terrain
6 vehicle laws, including the intoxicated operation of an all-terrain vehicle law,
7 regulations, safety and related subjects. The department shall establish by rule an
8 instruction fee for this program. The department shall issue certificates to persons
9 successfully completing the program. An instructor conducting the program of
10 instruction under this paragraph shall collect the fee from each person who receives
11 instruction. The department may determine the portion of this fee, which may not
12 exceed 50%, that the instructor may retain to defray expenses incurred by the
13 instructor in conducting the program. The instructor shall remit the remainder of
14 the fee or, if nothing is retained, the entire fee to the department. The department
15 shall issue a duplicate certificate of accomplishment to a person who is entitled to a
16 duplicate certificate of accomplishment and who pays a fee of \$2.75.

17 ~~...~~ ***-0011/3.1* SECTION 664.** 23.33 (13) (e) of the statutes is amended to read:

18 ~~...~~ **23.33 (13) (e) *Alcohol, controlled substances or controlled substance analogs;***
19 ~~...~~ *assessment.* In addition to any other penalty or order, a person who violates sub. (4c)
20 (a) or (b) or (4p) (e) or who violates s. 940.09 or 940.25 if the violation involves the
21 operation of an all-terrain vehicle, shall be ordered by the court to submit to and
22 comply with an assessment by an approved public treatment facility for an
23 examination of the person's use of alcohol, controlled substances or controlled
24 substance analogs. The assessment order shall comply with s. 343.30 (1q) (c) 1. a.

1 ~~to e.~~ Intentional failure to comply with an assessment ordered under this paragraph
2 constitutes contempt of court, punishable under ch. 785.

3 ~~...~~ ***-0444/P2.4* SECTION 665.** 23.41 (5) of the statutes is amended to read:

4 ~~...~~ **23.41 (5)** Each contract for construction work entered into by the department
5 under this section shall be awarded on the basis of bids or competitive sealed
6 proposals in accordance with procedures established by the department. Each
7 contract for construction work shall be awarded to the lowest responsible bidder or
8 the person submitting the most advantageous competitive sealed proposal as
9 determined by the department. If the bid of the lowest responsible bidder or the
10 proposal of the person submitting the most advantageous competitive sealed
11 proposal is determined by the department to be in excess of the estimated reasonable
12 value of the work or not in the public interest, the department may reject all bids or
13 competitive sealed proposals. Every such contract is exempted from ss. 16.70 to
14 16.75, 16.755, 16.76, 16.767 to 16.77, 16.78 to 16.82, 16.855, 16.87, and 16.89, but ss.
15 16.528, 16.753, 16.754, and 16.765, 16.771, and 16.871 apply to the contract. Every
16 such contract involving an expenditure of more than \$60,000 is not valid until the
17 contract is approved by the governor.

18 ~~...~~ ***-0392/1.1* SECTION 666.** 23.51 (1m) of the statutes is amended to read:

19 ~~...~~ **23.51 (1m)** "Citation" means a ~~pleading of essential facts and applicable law~~
20 ~~coupled with a demand for judgment, which notifies~~ complaint and includes a
21 notification to the person cited of a violation of a statute or rule enumerated in s.
22 23.50 (1) or of a violation of a local ordinance, and requests the person to appear in
23 court. ~~Part of the citation is a complaint.~~

24 ~~...~~ ***-0392/1.2* SECTION 667.** 23.54 (1) of the statutes is amended to read:

1 23.54 (1) A citation may be prepared on a paper form or in an electronic format.
2 The defendant shall receive a copy of the citation. The citation shall contain -a
3 complaint, a an area to record the case history and a report of court action on the case.

4 ***-0392/1.3* SECTION 668.** 23.54 (2) of the statutes is repealed.

5 ***-0392/1.4* SECTION 669.** 23.62 (1) (a) of the statutes is amended to read:

6 23.62 (1) (a) Issue a citation to the defendant in the ~~form~~ manner specified in
7 s. 23.54, a paper copy or electronic version of which shall be filed with the clerk of
8 courts in the county where the violation was committed or with the office of the
9 municipal judge in the case of an ordinance violation;

10 ***-0392/1.5* SECTION 670.** 23.62 (2) (a) of the statutes is amended to read:

11 23.62 (2) (a) If the defendant is a resident of this state, a law enforcement officer
12 may serve a citation anywhere in the state by following the procedures used for the
13 service of a summons under s. 801.11 (1) (a) or (b) 1. or 1m. or (2) or by mailing a paper
14 copy to the defendant's last-known address.

15 ***-0392/1.6* SECTION 671.** 23.62 (2) (b) of the statutes is amended to read:

16 23.62 (2) (b) If the defendant is not a resident of the state, a law enforcement
17 officer may serve a citation by delivering a paper copy to the defendant personally
18 or by mailing a paper copy to the defendant's last-known address.

19 ***-0392/1.7* SECTION 672.** 23.68 of the statutes is amended to read:

20 **23.68 Pleading.** The A citation or complaint issued pursuant to s. 23.62 or a
21 complaint issued pursuant to s. 23.65 may serve as the initial pleading and,
22 notwithstanding any other provisions of the statutes, shall be deemed adequate
23 process to give the appropriate court jurisdiction over the person upon the filing of
24 the citation or complaint with such court.

1 ***-1006/3.2* SECTION 673.** 25.14 (1) (a) (intro.) of the statutes is amended to
2 read:

3 25.14 (1) (a) (intro.) There is created a state investment fund under the
4 jurisdiction and management of the board to be operated as an investment trust for
5 the purpose of managing the securities of all funds that are required by law to be
6 invested in the state investment fund and all of the state's funds consisting of the
7 funds specified in s. 25.17 (1), except all of the following:

8 ***-1181/9.13* SECTION 674.** 25.17 (1) (ab) of the statutes is created to read:

9 25.17 (1) (ab) Affordable housing trust fund (s. 25.415);

10 ***-1181/9.14* SECTION 675.** 25.17 (1) (bw) of the statutes is created to read:

11 25.17 (1) (bw) County aid fund (s. 25.51).

12 ***-0892/11.10* SECTION 676.** 25.17 (1) (gd) of the statutes is created to read:

13 25.17 (1) (gd) Health care quality fund (s. 25.772);

14 ***-1006/3.3* SECTION 677.** 25.17 (63) of the statutes is created to read:

15 25.17 (63) If requested by the Health Insurance Risk-Sharing Plan Authority,
16 invest funds of the Health Insurance Risk-Sharing Plan Authority in the state
17 investment fund.

18 ***-0444/P2.5* SECTION 678.** 25.18 (1) (a) of the statutes is amended to read:

19 25.18 (1) (a) Notwithstanding s. 20.930 and all provisions of subch. IV of ch.
20 16, except s. ss. 16.753 and 16.771, employ special legal or investment counsel in any
21 matters arising out of the scope of its investment authority. Section 16.753 does not
22 apply to the employment of legal or investment counsel for the purpose of assisting
23 the board with investments. The employment of special legal counsel shall be with
24 the advice and consent of the attorney general whenever such special counsel is to

1 be compensated by the board. Any expense of counsel so employed shall be borne by
2 the fund for which the services shall be furnished.

3 ***-0444/P2.6* SECTION 679.** 25.18 (1) (f) of the statutes is amended to read:

4 25.18 (1) (f) Maintain and repair any building or other structure or premises
5 which it owns in fee or in which it owns the beneficial interest and, notwithstanding
6 all provisions of subch. IV or V of ch. 16, except s. ss. 16.753, 16.771, and 16.871, it
7 shall have exclusive authority to make such agreements and enter into such
8 contracts as it deems necessary for such purpose. Section 16.753 does not apply to
9 agreements and contracts entered into by the board for the purpose of assisting the
10 board with investments. All noncapital costs under this paragraph shall be charged
11 to the current income accounts of the funds having an interest in the building,
12 structure or premises.

13 ***-0444/P2.7* SECTION 680.** 25.18 (1) (m) of the statutes is amended to read:

14 25.18 (1) (m) Notwithstanding all provisions of subchs. IV and V of ch. 16,
15 except s. ss. 16.753, 16.771, and 16.871, employ professionals, contractors or other
16 agents necessary to evaluate or operate any property if a fund managed by the board
17 has an interest in, or is considering purchasing or lending money based upon the
18 value of, that property. Section 16.753 does not apply to the employment of any
19 person for the purpose of assisting the board with investments. Costs under this
20 paragraph shall be paid by the fund and charged to the appropriate account under
21 s. 40.04 (3).

22 ***-1202/1.1* SECTION 681.** 25.187 (2) (a) of the statutes is amended to read:

23 25.187 (2) (a) Subject to pars. (b) and par. (c), on July 1 and January September
24 1 of each year, the investment board shall ~~estimate the amounts required for its~~
25 ~~operating expenditures for the next 6-month period and shall assess each fund for~~

1 which the board has management responsibility for its share of the estimated board's
2 operating expenditures for the current fiscal year in an equitable manner. The board
3 shall pay the assessment from the current income of each fund, unless an
4 appropriation is made for payment of the assessment, in which case the assessment
5 shall be paid from that appropriation account.

6 ***-1202/1.2* SECTION 682.** 25.187 (2) (b) of the statutes is repealed.

7 ***-1202/1.3* SECTION 683.** 25.187 (2) (c) 1. of the statutes is amended to read:

8 25.187 (2) (c) 1. Except as provided in subd. 2., the total amount that the board
9 may assess the funds for which the board has management responsibility for any
10 fiscal year may not exceed the greater of \$20,352,800 or 0.0275% the amount that the
11 board could have assessed the funds in the 2nd year of the prior fiscal biennium or
12 0.0325% of the average market value of the assets of the funds at the end of each
13 month between November 30 and April 30 of the preceding fiscal year.

14 ***-1202/1.4* SECTION 684.** 25.187 (2) (c) 3. c. of the statutes is created to read:

15 25.187 (2) (c) 3. c. Annually, no later than June 15, certify to the department
16 of administration and to the joint committee on finance the maximum amount that
17 the board may assess the funds for which the board has management responsibility
18 in the next fiscal year.

19 ***-1530/7.1* SECTION 685.** 25.40 (1) (bd) of the statutes is created to read:

20 25.40 (1) (bd) Oil company assessments under subch. XIV of ch. 77.

21 ***-1181/9.15* SECTION 686.** 25.415 of the statutes is created to read:

22 **25.415 Affordable housing trust fund.** There is established a separate
23 nonlapsible trust fund designated as the affordable housing trust fund, to consist of
24 moneys that may be transferred from the county aid fund under s. 20.855 (4) (vm).

25 ***-1470/1.3* SECTION 687.** 25.46 (1m) of the statutes is amended to read:

1 25.46 **(1m)** The moneys transferred under s. 20.855 (4) ~~(f)~~ (rm) for nonpoint
2 source water pollution abatement.

3 ***-1113/2.1*** **SECTION 688.** 25.46 (7) of the statutes is amended to read:

4 25.46 **(7)** The fees imposed under s. 289.67 (1) for environmental management,
5 except that for each ton of waste for which the fee is \$1.60 per ton, 75 cents is for
6 nonpoint source water pollution abatement.

7 ***-0314/1.2*** **SECTION 689.** 25.47 (4m) of the statutes is created to read:

8 25.47 **(4m)** The payments under s. 101.1435 (4).

9 ***-1524/P3.11*** **SECTION 690.** 25.50 (1) (d) of the statutes is amended to read:

10 25.50 **(1) (d)** "Local government" means any county, town, village, city, power
11 district, sewerage district, drainage district, town sanitary district, public inland
12 lake protection and rehabilitation district, local professional baseball park district
13 created under subch. III of ch. 229, family long-term care district under s. 46.2895,
14 local professional football stadium district created under subch. IV of ch. 229, local
15 cultural arts district created under subch. V of ch. 229, public library system, school
16 district or technical college district in this state, any commission, committee, board
17 or officer of any governmental subdivision of this state, any court of this state, other
18 than the court of appeals or the supreme court, or any authority created under s.
19 114.61, 149.41, 231.02, 233.02 or 234.02.

 ****NOTE: This is reconciled s. 25.50 (1) (d). This SECTION has been affected by
 drafts with the following LRB numbers: 1524 and 1006.

20 ***-1181/9.16*** **SECTION 691.** 25.51 of the statutes is created to read:

21 **25.51 County aid fund.** There is established a separate nonlapsible trust
22 fund designated as the county aid fund consisting of the moneys the state receives
23 under s. 77.24.

1 *-1278/3.9* SECTION 692. 25.60 of the statutes is amended to read:

2 **25.60 Budget stabilization fund.** There is created a separate nonlapsible
3 trust fund designated as the budget stabilization fund, consisting of moneys
4 transferred to the fund from the general fund under ss. 13.48 (14) (c), 16.518 (3), and
5 16.72 (4) (b), and 16.848.

6 *-1261/5.152* *-1267/P1.46* SECTION 693. 25.68 (1) of the statutes is
7 amended to read:

8 25.68 (1) All moneys received by the department of ~~workforce development~~
9 children and families under s. 49.854, except for moneys received under s. 49.854 (11)
10 (b).

11 *-1261/5.153* *-1267/P1.47* SECTION 694. 25.68 (3) of the statutes is
12 amended to read:

13 25.68 (3) All moneys not specified under sub. (2) that are received under a
14 judgment or order in an action affecting the family, as defined in s. 767.001 (1), by
15 the department of ~~workforce development~~ children and families or its designee.

16 *-0892/11.11* SECTION 695. 25.69 of the statutes is amended to read:

17 **25.69 Permanent endowment fund.** There is established a separate
18 nonlapsible trust fund designated as the permanent endowment fund, consisting of
19 all of the proceeds from the sale of the state's right to receive payments under the
20 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
21 and all investment earnings on the proceeds. There is transferred from the
22 permanent endowment fund to the health care quality fund \$50,000,000 in each
23 fiscal year.

24 *-0892/11.12* SECTION 696. 25.772 of the statutes is created to read:

1 **25.772 Health care quality fund.** There is established a separate
2 nonlapsible trust fund designated as the health care quality fund, to consist of all of
3 the following:

4 **(1)** The amount of the taxes collected under subchs. II and III of ch. 139 as
5 determined under ss. 139.455 and 139.865.

6 **(2)** All moneys received under s. 50.375 from assessments on hospitals.

7 **(3)** All moneys transferred from the permanent endowment fund.

8 **(4)** All moneys transferred under 2007 Wisconsin Act (this act), section 9225

9 **(1).**

10 ***-1252/5.2* SECTION 697.** 25.96 of the statutes is amended to read:

11 **25.96 Utility public benefits fund.** There is established a separate
12 nonlapsible trust fund designated as the utility public benefits fund, consisting of
13 low-income assistance fees received under s. 16.957 (4) (a) and (5) (b) 2. and all
14 moneys received under s. 196.374 (3) (b) 4.

15 ***-1440/2.5* SECTION 698.** 26.385 of the statutes is repealed.

16 ***-0373/4.2* SECTION 699.** 28.05 (3) (c) of the statutes is created to read:

17 **28.05 (3) (c)** Of the amount received by the department from each timber sale
18 for which the department used the services of a cooperating forester under this
19 subsection, the department shall credit to the appropriation account under s. 20.370
20 **(1) (cy)** an amount equal to the portion of the sale proceeds that the department is
21 required to pay to the cooperating forester.

22 ***-1440/2.6* SECTION 700.** 28.085 of the statutes is amended to read:

23 **28.085 Timber.** The department shall allocate for private forest grants under
24 s. 26.38, ~~for forestry research and development grants under s. 26.385,~~ for the
25 forestry education grant program under s. 26.40, for school forest transportation

1 funding under s. 26.39 (5), for transfer to the appropriation under s. 20.292 (1) (km)
2 for master logger apprenticeship grants under s. 38.04 (29), or for forestry
3 internships under s. 26.39.

4 ***-1261/5.154* *-1267/P1.48* SECTION 701.** 29.024 (2g) (am) of the statutes is
5 amended to read:

6 29.024 (2g) (am) *Social security numbers exceptions.* If an applicant who is an
7 individual does not have a social security number, the applicant, as a condition of
8 applying for, or applying to renew, an approval specified in par. (a) 1. to 3., shall
9 submit a statement made or subscribed under oath or affirmation to the department
10 that the applicant does not have a social security number. The form of the statement
11 shall be prescribed by the department of workforce development children and
12 families. An approval issued by the department of natural resources in reliance on
13 a false statement submitted by an applicant under this paragraph is invalid.

14 ***-1261/5.155* *-1267/P1.49* SECTION 702.** 29.024 (2g) (c) of the statutes is
15 amended to read:

16 29.024 (2g) (c) *Disclosure of social security numbers.* The department of
17 natural resources may not disclose any social security numbers received under par.
18 (a) to any person except to the department of workforce development children and
19 families for the sole purpose of administering s. 49.22.

20 ***-1261/5.156* *-1267/P1.50* SECTION 703.** 29.024 (2g) (d) 1. of the statutes
21 is amended to read:

22 29.024 (2g) (d) 1. As provided in the memorandum of understanding required
23 under s. 49.857 (2), the department shall deny an application to issue or renew,
24 suspend if already issued or otherwise withhold or restrict an approval specified in
25 par. (a) 1. to 3. if the applicant for or the holder of the approval is delinquent in

1 making court-ordered payments of child or family support, maintenance, birth
2 expenses, medical expenses or other expenses related to the support of a child or
3 former spouse or if the applicant or holder fails to comply with a subpoena or warrant
4 issued by the department of ~~workforce development~~ children and families or a county
5 child support agency under s. 59.53 (5) and relating to paternity or child support
6 proceedings.

7 ***-1261/5.157* *-1267/P1.51* SECTION 704.** 29.024 (2r) (am) of the statutes is
8 amended to read:

9 29.024 (2r) (am) *Social security and identification numbers exceptions.* If an
10 applicant who is an individual does not have a social security number, the applicant,
11 as a condition of applying for, or applying to renew, any of the approvals specified in
12 par. (a) 1. to 16., shall submit a statement made or subscribed under oath or
13 affirmation to the department that the applicant does not have a social security
14 number. The form of the statement shall be prescribed by the department of
15 ~~workforce development~~ children and families. An approval issued by the department
16 of natural resources in reliance on a false statement submitted by an applicant under
17 this paragraph is invalid.

18 ***-0395/1.2* SECTION 705.** 29.024 (6) (ag) of the statutes is created to read:

19 29.024 (6) (ag) Under a contract issued under par. (a) 4., the department may
20 deduct a portion of each fee collected for a license issued pursuant to the statewide
21 automated system. The department shall credit all of the amounts deducted to the
22 appropriation account under s. 20.370 (1) (hx).

23 ***-0396/P1.1* SECTION 706.** 29.229 (2) (hm) of the statutes is created to read:

24 29.229 (2) (hm) Two-day inland lake trout fishing licenses.

1 ***-1261/5.158*** ***-1267/P1.52*** SECTION 707. 29.229 (5m) (a) of the statutes is
2 amended to read:

3 29.229 (5m) (a) The band is requested to enter into a memorandum of
4 understanding with the department of workforce-development children and families
5 under s. 49.857.

6 ***-1261/5.159*** ***-1267/P1.53*** SECTION 708. 29.229 (5m) (b) of the statutes is
7 amended to read:

8 29.229 (5m) (b) The band is requested to enact tribal laws or ordinances that
9 require each person who has a social security number, as a condition of being issued
10 an approval under this section, to provide to the band his or her social security
11 number, tribal laws or ordinances that require each person who does not have a social
12 security number, as a condition of being issued an approval under this section, to
13 provide to the band a statement made or subscribed under oath or affirmation on a
14 form prescribed by the department of workforce-development children and families
15 that the person does not have a social security number, and tribal laws or ordinances
16 that prohibit the disclosure of that number by the band to any other person except
17 to the department of workforce-development children and families for the purpose
18 of administering s. 49.22.

19 ***-1261/5.160*** ***-1267/P1.54*** SECTION 709. 29.229 (5m) (c) of the statutes is
20 amended to read:

21 29.229 (5m) (c) The band is requested to enact tribal laws or ordinances that
22 deny an application to issue or renew, suspend if already issued or otherwise
23 withhold or restrict an approval issued under this section if the applicant for or the
24 holder of the approval fails to provide the information required under tribal laws or
25 ordinances enacted under par. (b) or fails to comply, after appropriate notice, with a

1 subpoena or warrant issued by the department of ~~workforce development~~ children
2 and families or a county child support agency under s. 59.53 (5) and related to
3 paternity or child support proceedings or if the department of ~~workforce~~
4 ~~development~~ children and families certifies that the applicant for or the holder of the
5 approval has failed to pay court-ordered payments of child or family support,
6 maintenance, birth expenses, medical expenses or other expenses related to the
7 support of a child or former spouse. The band is also requested to enact tribal laws
8 or ordinances that invalidate an approval issued under this subsection if issued in
9 reliance upon a statement made or subscribed under oath or affirmation under tribal
10 laws or ordinances enacted under par. (b) that is false.

11 ***-0396/P1.2* SECTION 710.** 29.2295 (2) (hm) of the statutes is created to read:

12 29.2295 (2) (hm) Two-day inland lake trout fishing licenses.

13 ***-0375/1.1* SECTION 711.** 29.535 of the statutes is created to read:

14 **29.535 Shovelnose sturgeon permit.** (1) The department shall issue,

15 subject to s. 29.024, an annual shovelnose sturgeon permit to any resident who
16 applies for the permit and who holds at least one of the following licenses:

17 (a) A net license issued under s. 29.523.

18 (b) A trammel net license issued under s. 29.529.

19 (c) A set or bank pole license issued under s. 29.531.

20 (d) A setline license issued under s. 29.533.

21 (2) An annual shovelnose sturgeon permit authorizes the permit holder to
22 harvest shovelnose sturgeon and their eggs.

23 (3) A person who holds an annual shovelnose sturgeon permit shall report to
24 the department, on forms provided by the department, on or before the 10th day of

1 each month, the number of pounds of shovelnose sturgeon eggs harvested during the
2 preceding calendar month.

3 (4) The department shall deposit receipts from the sale of permits under this
4 section in the conservation fund.

5 ***-1542/2.1* SECTION 712.** 29.563 (2) (a) 5m. of the statutes is amended to read:

6 29.563 (2) (a) 5m. Elk: ~~\$46.25~~ \$72.25.

7 ***-1542/2.2* SECTION 713.** 29.563 (2) (b) 3m. of the statutes is amended to read:

8 29.563 (2) (b) 3m. Elk: ~~\$248.25~~ \$397.25.

9 ***-0375/1.2* SECTION 714.** 29.563 (7) (c) 5g. of the statutes is created to read:

10 29.563 (7) (c) 5g. Shovelnose sturgeon permit: \$50.

11 ***-1542/2.3* SECTION 715.** 29.563 (14) (a) 3. of the statutes is amended to read:

12 29.563 (14) (a) 3. The processing fee for applications for elk hunting licenses:
13 ~~\$2.75~~ \$9.75.

14 ***-1406/3.23* SECTION 716.** 30.24 (4) of the statutes is amended to read:

15 30.24 (4) LIMIT ON GRANTS. ~~A~~ Except as provided in s. 23.096 (2m), a grant
16 awarded under this section or under s. 23.096 to protect bluffs may not exceed 50%
17 of the acquisition costs.

18 ***-1406/3.24* SECTION 717.** 30.277 (5) of the statutes is amended to read:

19 30.277 (5) ~~CONTRIBUTION BY GOVERNMENTAL UNIT~~ MATCHING CONTRIBUTIONS. ~~To~~
20 Except as provided in s. 23.096 (2m) to be eligible for a grant under this section, at
21 least 50% of the acquisition costs for land or of the project costs shall be funded by
22 private, local or federal funding, by in-kind contributions or by state funding. For
23 purposes of this subsection, state funding may not include grants under this section,
24 moneys appropriated to the department under s. 20.370 or money appropriated
25 under s. 20.866 (2) (ta), (tp) to (tw), (ty) or (tz).

1 ***-1360/1.1* SECTION 718.** 30.52 (3) (b) of the statutes is amended to read:

2 30.52 (3) (b) *Fee for boats under 16 feet.* The fee for the issuance or renewal of
3 a certificate of number for a boat less than 16 feet in length is \$16.50 \$22.00.

4 ***-1360/1.2* SECTION 719.** 30.52 (3) (c) of the statutes is amended to read:

5 30.52 (3) (c) *Fee for boats 16 feet or more but less than 26 feet.* The fee for the
6 issuance or renewal of a certificate of number for a boat 16 feet or more but less than
7 26 feet in length is \$24 \$31.

8 ***-1360/1.3* SECTION 720.** 30.52 (3) (d) of the statutes is amended to read:

9 30.52 (3) (d) *Fee for boats 26 feet or more but less than 40 feet.* The fee for the
10 issuance or renewal of a certificate of number for a boat 26 feet or more but less than
11 40 feet in length is \$45 \$59.

12 ***-1360/1.4* SECTION 721.** 30.52 (3) (e) of the statutes is amended to read:

13 30.52 (3) (e) *Fee for boats 40 feet or longer.* The fee for the issuance or renewal
14 of a certificate of number for a boat 40 feet or more in length is \$75 \$98.

15 ***-1360/1.5* SECTION 722.** 30.52 (3) (f) of the statutes is amended to read:

16 30.52 (3) (f) *Fee for nonmotorized sailboats.* Notwithstanding pars. (b) to (e),
17 the fee for the issuance or renewal of a certificate of number for a sailboat which is
18 not a motorboat is \$15 \$20.

19 ***-1360/1.6* SECTION 723.** 30.52 (3) (fm) of the statutes is amended to read:

20 30.52 (3) (fm) *Fee for voluntarily registered boats.* Notwithstanding pars. (b)
21 to (f), the fee for issuance or renewal of registration for a boat registered pursuant
22 to sub. (1) (b) 1m. is \$9.75 \$13.

23 ***-0394/2.3* SECTION 724.** 30.74 (1) (b) of the statutes is amended to read:

24 30.74 (1) (b) The department by rule shall set the instruction fee for the course.
25 A person conducting a course or giving instruction under this subsection shall collect

1 the instruction fee from each person who receives instruction. The department may
2 determine the portion of this fee, which may not exceed 50%, that the person may
3 retain to defray expenses incurred by the person in conducting the course or giving
4 the instruction. The person shall remit the remainder of the fee or, if nothing is
5 retained, the entire fee to the department. The department by rule shall set the fee
6 for the course. The department shall issue a duplicate certificate of accomplishment
7 to a person who is entitled to a duplicate certificate of accomplishment and who pays
8 a fee of \$2.75.

9 *-1261/5.161* *-1261/P3.111* SECTION 725. 35.86 (1) of the statutes is
10 amended to read:

11 35.86 (1) The director of the historical society may procure the exchange of
12 public documents produced by federal, state, county, local, and other agencies as may
13 be desirable to maintain or enlarge its historical, literary, and statistical collections,
14 and may make such distributions of public documents, with or without exchange, as
15 may accord with interstate or international comity. The state law librarian shall
16 procure so many of such exchanges as the state law librarian is authorized by law
17 to make, and the department of health and family services, department of children
18 and families, commission of banking, department of public instruction, legislative
19 reference bureau, and the legislative council staff, may procure by exchange such
20 documents from other states and countries as may be needed for use in their
21 respective offices. Any other state agency wishing to initiate a formal exchange
22 program in accordance with this section may do so by submitting a formal application
23 to the department and by otherwise complying with this section.

24 *-1578/2.1* SECTION 726. 36.09 (1) (e) of the statutes is amended to read:

1 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
2 each institution; a dean for each college campus; the state geologist; the director of
3 the laboratory of hygiene; the director of the psychiatric institute; the state
4 cartographer; and the requisite number of officers, other than the vice presidents,
5 associate vice presidents, and assistant vice presidents of the system; faculty;
6 academic staff; and other employees and fix the salaries, subject to the limitations
7 under par. (j) and ss. 20.923 (4g), 36.11 (53), and 230.12 (3) (e), the duties and the term
8 of office for each. The board shall fix the salaries, subject to the limitations under
9 par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice
10 president, associate vice president, and assistant vice president of the system. No
11 sectarian or partisan tests or any tests based upon race, religion, national origin, or
12 sex shall ever be allowed or exercised in the appointment of the employees of the
13 system.

14 *-1352/4.18* SECTION 727. 36.09 (1) (j) of the statutes is amended to read:

15 36.09 (1) (j) Except where such matters are a subject of bargaining with a
16 certified representative of a collective bargaining unit under s. 111.91 or 111.998, the
17 board shall establish salaries for persons not in the classified staff prior to July 1 of
18 each year for the next fiscal year, and shall designate the effective dates for payment
19 of the new salaries. In the first year of the biennium, payments of the salaries
20 established for the preceding year shall be continued until the biennial budget bill
21 is enacted. If the budget is enacted after July 1, payments shall be made following
22 enactment of the budget to satisfy the obligations incurred on the effective dates, as
23 designated by the board, for the new salaries, subject only to the appropriation of
24 funds by the legislature and s. 20.928 (3). This paragraph does not limit the
25 authority of the board to establish salaries for new appointments. The board may

1 not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and
2 230.08 (2) (d) under this paragraph unless the salary increase conforms to the
3 proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary
4 increase to correct salary inequities under par. (h), to fund job reclassifications or
5 promotions, or to recognize competitive factors. The board may not increase the
6 salary of any position identified in s. 20.923 (4g) under this paragraph unless the
7 salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the
8 board authorizes the salary increase to correct a salary inequity or to recognize
9 competitive factors. The board may not increase the salary of any position identified
10 in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the
11 appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless
12 the increase is approved by the office of state employment relations. The granting
13 of salary increases to recognize competitive factors does not obligate inclusion of the
14 annualized amount of the increases in the appropriations under s. 20.285 (1) for
15 subsequent fiscal bienniums. No later than October 1 of each year, the board shall
16 report to the joint committee on finance and the secretary of administration and
17 director of the office of state employment relations concerning the amounts of any
18 salary increases granted to recognize competitive factors, and the institutions at
19 which they are granted, for the 12-month period ending on the preceding June 30.

20 ***-1579/1.1*** SECTION 728. 36.11 (3) (d) 1. of the statutes is amended to read:

21 36.11 (3) (d) 1. Except as provided in subd. 2., the board shall require that a \$35
22 \$50 fee accompany each application for admittance from persons seeking admittance
23 to any school within the system as new freshmen or as transfer students from outside
24 the system. The board may exempt from the fee under this subdivision, on the basis
25 of financial need, a maximum of 5% of the applications in any school year.

1 ***-1579/1.2* SECTION 729.** 36.11 (3) (d) 2. of the statutes is amended to read:

2 36.11 (3) (d) 2. The board shall require that a \$45 ~~\$60~~ fee accompany each
3 application for admittance to a graduate school, law school or medical school within
4 the system.

5 ***-1578/2.2* SECTION 730.** 36.11 (53) of the statutes is created to read:

6 36.11 (53) HIGH DEMAND FACULTY SALARIES. In a fiscal year, the board may not
7 expend moneys appropriated under s. 20.285 (1) (a) or (im) to support supplemental
8 salary increases for faculty whose services are in high demand by other higher
9 educational institutions in an amount that exceeds the amount expended for that
10 purpose from those appropriations in the prior fiscal year unless the board has
11 submitted a plan for expending that excessive amount to the secretary of
12 administration and the secretary has approved the expenditure of that excessive
13 amount.

14 ***-1365/2.1* SECTION 731.** 36.27 (2) (cr) of the statutes is created to read:

15 36.27 (2) (cr) A person who is a citizen of a country other than the United States
16 is entitled to the exemption under par. (a) if that person meets all of the following
17 requirements:

18 1. The person graduated from a high school in this state or received a high
19 school graduation equivalency from this state.

20 2. The person was continuously present in this state for at least one year
21 following the first day of attending a high school in this state.

22 3. The person enrolls in an institution and provides that institution with an
23 affidavit stating that the person has filed or will file an application for a permanent
24 resident visa with U.S. Citizenship and Immigration Services as soon as the person
25 is eligible to do so.

1 ***-0374/3.1* SECTION 732.** 36.27 (3n) (b) 3. of the statutes is amended to read:

2 36.27 (3n) (b) 3. A child of an eligible veteran, if the child is at least 18 17 but
3 not yet 26 years of age and is a full-time student at an institution.

4 ***-0192/2.2* SECTION 733.** 36.27 (3n) (c) of the statutes is created to read:

5 36.27 (3n) (c) The higher educational aids board shall reimburse the board of
6 regents for all academic fees and segregated fees remitted under par. (b) as provided
7 in s. 39.50 (1).

8 ***-0192/2.3* SECTION 734.** 36.27 (3p) (c) of the statutes is created to read:

9 36.27 (3p) (c) The higher educational aids board shall reimburse the board of
10 regents for all nonresident tuition, academic fees, and segregated fees remitted
11 under par. (b) as provided in s. 39.50 (1).

12 ***-1261/5.162* *-1261/P3.112* SECTION 735.** 38.04 (21) (intro.) of the statutes
13 is amended to read:

14 38.04 (21) (intro.) PUPILS ATTENDING TECHNICAL COLLEGES; BOARD REPORT.
15 Annually by the 3rd Monday in February the board shall submit a report to the
16 department of administration, department of children and families, department of
17 public instruction, and department of workforce development, and to the legislature
18 under s. 13.172 (2). The report shall specify all of the following by school district:

19 ***-1365/2.2* SECTION 736.** 38.22 (6) (e) of the statutes is created to read:

20 38.22 (6) (e) Any person who is a citizen of a country other than the United
21 States if that person meets all of the following requirements:

22 1. The person graduated from a high school in this state or received a high
23 school graduation equivalency from this state.

24 2. The person was continuously present in this state for at least 3 years
25 following the first day of attending a high school in this state.

1 3. The person enrolls in a district school and provides the district board with
2 an affidavit stating that the person has filed or will file an application for a
3 permanent resident visa with U.S. Citizenship and Immigration Services as soon as
4 the person is eligible to do so.

5 ***-0374/3.2* SECTION 737.** 38.24 (7) (b) 3. of the statutes is amended to read:

6 38.24 (7) (b) 3. A child of an eligible veteran, if the child is at least ~~18~~ 17 but
7 not yet 26 years of age ~~and is a full-time student at a technical college.~~

8 ***-0192/2.4* SECTION 738.** 38.24 (7) (c) of the statutes is created to read:

9 38.24 (7) (c) The higher educational aids board shall reimburse the district
10 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
11 39.50 (2).

12 ***-0192/2.5* SECTION 739.** 38.24 (8) (c) of the statutes is created to read:

13 38.24 (8) (c) The higher educational aids board shall reimburse the district
14 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
15 39.50 (2).

16 ***-1471/2.14* SECTION 740.** 38.28 (3) of the statutes is amended to read:

17 38.28 (3) If the appropriation for state aid under s. 20.292 (1) (fe) (u) in any one
18 year is insufficient to pay the full amount under subs. (2) (c) and (g), funds in the
19 appropriation shall be used first for the purposes of sub. (2) (c) and any remaining
20 funds shall be prorated among the districts entitled to support under sub. (2) (g). If
21 the appropriation for state aid under s. 20.292 (1) (fe) (u) in any one year is
22 insufficient to pay the full amount under sub. (2) (c), funds in the appropriation shall
23 be prorated among the districts entitled to the funds.

24 ***-1471/2.15* SECTION 741.** 38.29 (2) (c) of the statutes is amended to read:

1 38.29 (2) (c) Amounts awarded shall be paid from the appropriation under s.
2 20.292 (1) (fg) (v).

3 ***-0191/1.1* SECTION 742.** 39.435 (3) of the statutes is amended to read:

4 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one
5 academic year, unless the joint committee on finance approves an adjustment in the
6 amount of the minimum grant. Grants under sub. (1) shall not exceed \$3,000 during
7 any one academic year shall not exceed 50 percent of the resident undergraduate
8 academic fees charged to attend the University of Wisconsin-Madison for the
9 previous academic year. The board shall, by rule, establish a reporting system to
10 periodically provide student economic data and shall promulgate other rules the
11 board deems necessary to assure uniform administration of the program.

12 ***-1662/1.2* SECTION 743.** 39.435 (7) (a) 1. of the statutes is amended to read:

13 39.435 (7) (a) 1. For purposes of calculating the amount to be appropriated
14 under s. 20.235 (1) (fe) for fiscal year ~~2007-08~~ 2009-10, "base amount" means the
15 amount shown in the schedule under s. 20.005 for that appropriation for fiscal year
16 ~~2006-07~~ 2008-09.

17 ***-1662/1.3* SECTION 744.** 39.435 (7) (a) 2. of the statutes is amended to read:

18 39.435 (7) (a) 2. For purposes of calculating the amount to be appropriated
19 under s. 20.235 (1) (fe) for each fiscal year after fiscal year ~~2007-08~~ 2009-10, "base
20 amount" means the appropriation amount calculated under par. (b) for the previous
21 fiscal year.

22 ***-1662/1.4* SECTION 745.** 39.435 (7) (b) (intro.) of the statutes is amended to
23 read:

1 39.435 (7) (b) (intro.) Biennially, beginning on February 1, 2007 2009, the board
2 shall calculate the amounts to be appropriated under s. 20.235 (1) (fe) for the next
3 biennium as follows:

4 ***-0201/4.5*** SECTION 746. 39.437 of the statutes is created to read:

5 **39.437 Wisconsin covenant scholars grants. (1) ESTABLISHMENT OF GRANT**
6 PROGRAM. There is established, to be administered by the board, a Wisconsin
7 Covenant Scholars Program to provide grants to students who meet the eligibility
8 criteria specified in sub. (2).

9 **(2) ELIGIBILITY.** (a) Except as provided in par. (b), a student is eligible for a grant
10 under this section if the student meets all of the following criteria:

11 1. The student is a resident of this state and is enrolled at least half time and
12 registered as a freshman, sophomore, junior, or senior in a public or private,
13 nonprofit, accredited institution of higher education or in a tribally controlled college
14 in this state.

15 2. The student is eligible for a Federal Pell Grant under 20 USC 1070a, the
16 federal adjusted gross income of a parent of the student, as shown on the student's
17 application for student financial assistance, does not exceed the income guidelines
18 prescribed under 42 USC 1758 (b) for determining eligibility for reduced-price
19 lunches under the federal National School Lunch Act, 42 USC 1751 to 1769i, or, if
20 the student is an independent student, as defined in 20 USC 1087vv, the federal
21 adjusted gross income of the student, as shown on the student's application for
22 student financial assistance, does not exceed those income guidelines.

23 (b) 1. The board may not make a grant under this section to a person whose
24 name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the
25 person provides to the board a payment agreement that has been approved by the

1 county child support agency under s. 59.53 (5) and that is consistent with rules
2 promulgated under s. 49.858 (2) (a).

3 2. No student shall be eligible for a grant under this section in more than the
4 equivalent of 10 semesters of undergraduate education.

5 3. No student who fails to meet acceptable academic standards prescribed by
6 the student's institution of higher education or tribally controlled college shall be or
7 shall remain eligible for a grant under this section.

8 (3) AMOUNT OF GRANT. The amount of a grant shall be based on financial need,
9 as determined by the board, and shall be paid from the appropriation account under
10 s. 20.235 (1) (fm).

11 (4) ADMINISTRATION OF GRANT PROGRAM. (a) By February 1 of each year, the
12 Board of Regents of the University of Wisconsin System shall provide to the board
13 information relating to the resident undergraduate academic fees charged to attend
14 each of the institutions within that system for the current academic year, the
15 technical college system board shall provide to the board information relating to the
16 fees under s. 38.24 (1m) (a) to (c) charged to attend each of the technical colleges
17 within that system for the current academic year, and each tribally controlled college
18 in this state shall provide to the board information relating to the tuition and fees
19 charged to attend the tribal college for the current academic year.

20 (b) By April 1 of each year, the board shall determine the average of the resident
21 undergraduate academic fees charged for the current academic year among the
22 institutions within the University of Wisconsin System, the average of the fees under
23 s. 38.24 (1m) (a) to (c) charged for the current academic year among the technical
24 colleges in this state, and the average of the tuition and fees charged for the current
25 academic year among the tribally controlled colleges in this state.

1 (5) RULES. The board shall promulgate rules to implement this section,
2 including rules establishing a reporting system to periodically provide student
3 economic data and any other rules the board considers necessary to assure the
4 uniform administration of this section.

5 *-0192/2.6* SECTION 747. 39.50 of the statutes is created to read:

6 **39.50 Remission of fees for veterans and dependents. (1) UNIVERSITY OF**
7 **WISCONSIN SYSTEM.** At the end of each semester, the Board of Regents of the
8 University of Wisconsin System shall certify to the board the number of students
9 enrolled in the University of Wisconsin System to whom any fees or nonresident
10 tuition has been remitted under s. 36.27 (3n) or (3p), the number of credits for which
11 those fees or that nonresident tuition has been remitted, and the amount of fees and
12 nonresident tuition remitted. If the board approves the information certified under
13 this subsection, the board, from the appropriation account under s. 20.235 (1) (fz),
14 shall reimburse the board of regents for the amount of fees and nonresident tuition
15 remitted. The board of regents shall credit any amounts received under this
16 subsection to the appropriation under s. 20.285 (1) (k) and shall expend those
17 amounts received for degree credit instruction.

18 (2) TECHNICAL COLLEGES. At the end of each semester, each technical college
19 district board shall certify to the board the number of students enrolled in the
20 technical college governed by the district board to whom any fees have been remitted
21 under s. 38.24 (7) or (8), the number of credits for which those fees have been
22 remitted, and the amount of those fees remitted. If the board approves the
23 information certified under this subsection, the board, from the appropriation
24 account under s. 20.235 (1) (fz), shall reimburse the district board for the amount of
25 fees remitted.

SECTION 748

1 *-1474/2.1* SECTION 748. 40.02 (20) of the statutes is renumbered 40.02 (20)
2 (intro.) and amended to read:

3 40.02 (20) (intro.) "Dependent" means the:

4 (a) Except as provided in par. (b), the spouse, minor child, including
5 stepchildren of the current marriage dependent on the employee for support and
6 maintenance, or child of any age, including stepchildren of the current marriage, if
7 handicapped to an extent requiring continued dependence. For group insurance
8 purposes only, the department may promulgate rules with a different definition of
9 "dependent" than the one otherwise provided in this subsection paragraph for each
10 group insurance plan.

11 *-1474/2.2* SECTION 749. 40.02 (20) (b) of the statutes is created to read:

12 40.02 (20) (b) For a state employee or for an annuitant who was employed by
13 a state agency on the day on which he or she terminated covered employment, the
14 spouse, domestic partner, minor child, including stepchildren of the current
15 marriage or children of a domestic partner dependent on the employee for support
16 and maintenance, or child of any age, including stepchildren of the current marriage
17 or children of a domestic partner, if handicapped to an extent requiring continued
18 dependence.

19 *-1474/2.3* SECTION 750. 40.02 (21c) of the statutes is created to read:

20 40.02 (21c) "Domestic partner" means an individual in a domestic partnership.

21 *-1474/2.4* SECTION 751. 40.02 (21d) of the statutes is created to read:

22 40.02 (21d) "Domestic partnership" means a relationship between 2
23 individuals that satisfies all of the following:

24 (a) Each individual is at least 18 years old and otherwise competent to enter
25 into a contract.

1 (b) Neither individual is married to, or in a domestic partnership with, another
2 individual.

3 (c) The 2 individuals are not related by blood in any way that would prohibit
4 marriage under s. 765.03.

5 (d) The 2 individuals consider themselves to be members of each other's
6 immediate family.

7 (e) The 2 individuals agree to be responsible for each other's basic living
8 expenses.

9 ***-1352/4.19* SECTION 752.** 40.02 (25) (b) 8. of the statutes is amended to read:

10 40.02 (25) (b) 8. Any other state employee for whom coverage is authorized
11 under a collective bargaining agreement pursuant to subch. I or, V, or VI of ch. 111
12 or under s. 230.12 or 233.10.

13 ***-1524/P3.12* SECTION 753.** 40.02 (28) of the statutes is amended to read:

14 40.02 (28) "Employer" means the state, including each state agency, any
15 county, city, village, town, school district, other governmental unit or
16 instrumentality of 2 or more units of government now existing or hereafter created
17 within the state, any federated public library system established under s. 43.19
18 whose territory lies within a single county with a population of 500,000 or more, a
19 local exposition district created under subch. II of ch. 229 and a family long-term
20 care district created under s. 46.2895, except as provided under ss. 40.51 (7) and
21 40.61 (3) and subch. X. "Employer" does not include a local cultural arts district
22 created under subch. V of ch. 229. Each employer shall be a separate legal
23 jurisdiction for OASDHI purposes.

24 ***-1524/P3.13* SECTION 754.** 40.02 (28) of the statutes, as affected by 1999
25 Wisconsin Act 65, is amended to read:

1 40.02 (28) "Employer" means the state, including each state agency, any
2 county, city, village, town, school district, other governmental unit or
3 instrumentality of 2 or more units of government now existing or hereafter created
4 within the state, any federated public library system established under s. 43.19
5 whose territory lies within a single county with a population of 500,000 or more, a
6 local exposition district created under subch. II of ch. 229 and a family long-term
7 care district created under s. 46.2895, except as provided under ss. 40.51 (7) and
8 40.61 (3). "Employer" does not include a local cultural arts district created under
9 subch. V of ch. 229. Each employer shall be a separate legal jurisdiction for OASDHI
10 purposes.

11 *-1524/P3.14* SECTION 755. 40.02 (36) of the statutes is amended to read:

12 40.02 (36) "Governing body" means the legislature or the head of each state
13 agency with respect to employees of that agency for the state, the common council
14 in cities, the village board in villages, the town board in towns, the county board in
15 counties, the school board in school districts, or the board, commission or other
16 governing body having the final authority for any other unit of government, for any
17 agency or instrumentality of 2 or more units of government, for any federated public
18 library system established under s. 43.19 whose territory lies within a single county
19 with a population of 500,000 or more, for a local exposition district created under
20 subch. II of ch. 229 or for a family long-term care district created under s. 46.2895,
21 but does not include a local cultural arts district created under subch. V of ch. 229.

22 *-1272/5.27* SECTION 756. 40.02 (54) (k) of the statutes is created to read:

23 40.02 (54) (k) The Healthy Wisconsin Authority.

24 *-1006/3.4* SECTION 757. 40.02 (54) (L) of the statutes is created to read:

25 40.02 (54) (L) The Health Insurance Risk-Sharing Plan Authority.