

1 *-1475/5.7* SECTION 624. 20.923 (4) (f) 4. of the statutes is renumbered 20.923
2 (4) (g) 6.

3 *-1475/5.8* SECTION 625. 20.923 (4) (h) 5. of the statutes is created to read:
4 20.923 (4) (h) 5. Health and family services, department of: secretary.

5 *-1475/5.9* SECTION 626. 20.923 (4) (i) of the statutes is repealed.

6 *-1352/4.16* SECTION 627. 20.923 (6) (intro.) of the statutes is amended to
7 read:

8 20.923 (6) SALARIES SET BY APPOINTING AUTHORITIES. (intro.) Salaries for the
9 following positions may be set by the appointing authority, subject to restrictions
10 otherwise set forth in the statutes and the compensation plan under s. 230.12, except
11 where the salaries are a subject of bargaining with a certified representative of a
12 collective bargaining unit under s. 111.91 or 111.998:

13 *-1261/5.150* *-1261/P3.109* SECTION 628. 20.923 (6) (bd) of the statutes is
14 amended to read:

15 20.923 (6) (bd) ~~Health and family services~~ Children and families, department
16 of: director of the office of urban development.

17 *-1416/6.12* SECTION 629. 20.923 (6) (hr) of the statutes is amended to read:

18 20.923 (6) (hr) ~~Sentencing commission~~ Bureau of criminal justice research:
19 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.

20 *-1475/5.10* SECTION 630. 20.923 (12) of the statutes is amended to read:

21 20.923 (12) OTHER DEPARTMENT OF REGULATION AND LICENSING POSITIONS. The
22 salaries for division administrators and bureau directors appointed under s. 440.04
23 (6) shall not exceed the maximum of the salary range for executive salary group 1 3.

1 *-1524/P3.9* SECTION 631. 20.927 (1m) of the statutes is amended to read:

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

8 *-1524/P3.10* SECTION 632. 20.9275 (1) (b) of the statutes is amended to read:

9 20.9275 (1) (b) "Local governmental unit" means a city, village, town, county
10 or family long-term care district under s. 46.2895 or an agency or subdivision of a
11 city, village, town, or county.

12 *-1261/5.151* *-1261/P3.110* SECTION 633. 20.9275 (2) (intro.) of the
13 statutes is amended to read:

14 20.9275 (2) (intro.) No state agency or local governmental unit may authorize
15 payment of funds of this state, of any local governmental unit or, subject to sub. (3m),
16 of federal funds passing through the state treasury as a grant, subsidy or other
17 funding that wholly or partially or directly or indirectly involves pregnancy
18 programs, projects or services, that is a grant, subsidy or other funding under s.
19 46.99, 46.995, 48.487, 48.545, 253.05, 253.07, 253.08, or 253.085 or 42 USC 701 to
20 710, if any of the following applies:

21 *-1352/4.17* SECTION 634. 20.928 (1) of the statutes is amended to read:

22 20.928 (1) Each state agency head shall certify to the department of
23 administration, at such time and in such manner as the secretary of administration
24 prescribes, the sum of money needed by the state agency from the appropriations
25 under s. 20.865 (1) (c), (ci), (cm), (cj), (d), (i), (ic), (im), (j), (s), (si), (sm), and (t). Upon

1 receipt of the certifications together with such additional information as the
2 secretary of administration prescribes, the secretary shall determine the amounts
3 required from the respective appropriations to supplement state agency budgets.

4 ***-0444/P2.3* SECTION 635.** 20.931 of the statutes is created to read:

5 **20.931 False claims; actions by or on behalf of state.** (1) In this section:

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

7 (b) "Claim" includes any request or demand for money, property, or services
8 made to any officer, employee, or agent of this state, or to any contractor, grantee, or
9 other recipient, whether or not under contract, if any portion of the money, property,
10 or services that are requested or demanded is derived from state resources, or if the
11 state is obligated to reimburse the contractor, grantee, or other recipient for any
12 portion of the money, property, or services that are requested or demanded.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 (b) The plaintiff shall serve upon the attorney general a copy of the complaint
19 and documents disclosing substantially all material evidence and information that
20 the person possesses. The plaintiff shall file a copy of the complaint with the court
21 for inspection in camera. Except as provided in par. (c), the complaint shall remain
22 under seal for a period of 60 days from the date of filing, and shall not be served upon
23 the defendant until the court so orders. Within 60 days from the date of service upon
24 the attorney general of the complaint, evidence, and information under this
25 paragraph, the attorney general may intervene in the action.

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

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

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

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

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

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

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

21 (7) (a) The state may move to dismiss an action under sub. (5) or an
22 administrative proceeding under sub. (10) to which the state is a party for good cause
23 shown, notwithstanding objection of the person bringing the action, if that person is
24 served with a copy of the state's motion and is provided with an opportunity to oppose

1 the motion before the court or the administrative agency before which the proceeding
2 is conducted.

3 (b) With the approval of the governor, the attorney general may compromise
4 and settle an action under sub. (5) or an administrative proceeding under sub. (10)
5 to which the state is a party, notwithstanding objection of the person bringing the
6 action, if the court determines, after affording to the person bringing the action the
7 right to a hearing at which the person is afforded the opportunity to present evidence
8 in opposition to the proposed settlement, that the proposed settlement is fair,
9 adequate, and reasonable considering the relevant circumstances pertaining to the
10 violation.

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

- 17 1. Limiting the number of witnesses that the person may call.
- 18 2. Limiting the length of the testimony of the witnesses.
- 19 3. Limiting the cross-examination of witnesses by the person.
- 20 4. Otherwise limiting the participation by the person in the prosecution of the
21 action or proceeding.

22 (d) Upon showing by a defendant that unrestricted participation in the
23 prosecution of an action under sub. (5) or alternate proceeding under sub. (10) to
24 which the state is a party by the person bringing the action would result in

1 harassment or would cause the defendant undue burden or unnecessary expense, the
2 court may limit the person's participation in the prosecution.

3 (8) Except as provided in sub. (7), if the state elects not to participate in an
4 action filed under sub. (5), the person bringing the action may prosecute the action.
5 If the attorney general so requests, the attorney general shall, at the state's expense,
6 be served with copies of all pleadings and deposition transcripts in the action. If the
7 person bringing the action initiates prosecution of the action, the court, without
8 limiting the status and rights of that person, may permit the state to intervene at a
9 later date upon showing by the state of good cause for the proposed intervention.

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

20 (10) The attorney general may pursue a claim relating to an alleged violation
21 of sub. (2) through an alternate remedy available to the state or any state agency,
22 including an administrative proceeding to assess a civil forfeiture. If the attorney
23 general elects any such alternate remedy, the attorney general shall serve timely
24 notice of his or her election upon the person bringing the action under sub. (5), and
25 that person has the same rights in the alternate venue as the person would have had

1 if the action had continued under sub. (5). Any finding of fact or conclusion of law
2 made by a court or by a state agency in the alternate venue that has become final is
3 conclusive upon all parties named in an action under sub. (5). For purposes of this
4 subsection, a finding or conclusion is final if it has been finally determined on appeal,
5 if all time for filing an appeal or petition for review with respect to the finding or
6 conclusion has expired, or if the finding or conclusion is not subject to judicial review.

7 (11) (a) Except as provided in pars. (b) and (e), if the state proceeds with an
8 action brought by a person under sub. (5) or the state pursues an alternate remedy
9 relating to the same acts under sub. (10), the person who brings the action shall
10 receive at least 15 percent but not more than 25 percent of the proceeds of the action
11 or settlement of the claim, depending upon the extent to which the person
12 contributed to the prosecution of the action or claim.

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

23 (c) Except as provided in par. (e), in addition to any amount received under par.

24 (a) or (b), a person bringing an action under sub. (5) shall be awarded his or her
25 reasonable expenses necessarily incurred in bringing the action together with the

1 person's costs and reasonable actual attorney fees. The court or other adjudicator
2 shall assess any award under this paragraph against the defendant.

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

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

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

24 (b) No person may bring an action under sub. (5) that is based upon allegations
25 or transactions that are the subject of a civil action or an administrative proceeding

1 to assess a civil forfeiture in which the state is a party if that action or proceeding
2 was commenced prior to the date that the action is filed.

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

5 (14) Any employee who is discharged, demoted, suspended, threatened,
6 harassed, or in any other manner discriminated against by his or her employer
7 because of lawful actions taken by the employee, on behalf of the employee, or by
8 others in furtherance of an action or claim filed under this section, including
9 investigation for, initiation of, testimony for, or assistance in an action or claim filed
10 or to be filed under sub. (5) is entitled to all necessary relief to make the employee
11 whole. Such relief shall in each case include reinstatement with the same seniority
12 status that the employee would have had but for the discrimination, 2 times the
13 amount of back pay, interest on the back pay at the legal rate, and compensation for
14 any special damages sustained as a result of the discrimination, including costs and
15 reasonable actual attorney fees. An employee may bring an action to obtain the relief
16 to which the employee is entitled under this subsection.

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

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

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

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

4 *-1406/3.2* SECTION 636. 23.09 (19) (d) of the statutes is amended to read:

5 23.09 (19) (d) Grants Except as provided in s. 23.096 (2m), grants under this
6 subsection shall be for up to 50% of the acquisition costs of the land or the rights in
7 land for the urban green space. The governmental unit is responsible for the
8 remainder of the acquisition costs.

9 *-1406/3.3* SECTION 637. 23.09 (20) (b) of the statutes is amended to read:

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

21 *-1406/3.4* SECTION 638. 23.09 (20m) (b) of the statutes is amended to read:

22 23.09 (20m) (b) The department shall establish a program to award grants
23 from the appropriation under s. 20.866 (2) (ta) to governmental units and nonprofit
24 conservation organizations to acquire development rights in land for nature-based

1 outdoor recreation. The Except as provided s. 23.096 (2m), the grants shall be limited
2 to no more than 50% of the acquisition costs of the development rights.

3 ***-1406/3.5* SECTION 639.** 23.0917 (3) (a) of the statutes is amended to read:

4 23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
5 2009-10 2019-20, the department may obligate moneys under the subprogram for
6 land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and
7 grants for these purposes under s. 23.096, except as provided under ss. 23.197 (2m),
8 (3m) (b), (7m), and (8) and 23.198 (1) (a).

9 ***-1406/3.6* SECTION 640.** 23.0917 (3) (bm) of the statutes is amended to read:

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

15 ***-1406/3.7* SECTION 641.** 23.0917 (3) (br) of the statutes is created to read:

16 23.0917 (3) (br) Beginning with fiscal year 2010-11 and ending with fiscal year
17 2019-20, in obligating moneys under the subprogram for land acquisition, the
18 department shall set aside in each fiscal year not less than \$14,500,000 that may be
19 obligated only to provide for grants awarded to nonprofit conservation organizations
20 under s. 23.096.

21 ***-1406/3.8* SECTION 642.** 23.0917 (3) (dm) 3. of the statutes is created to read:

22 23.0917 (3) (dm) 3. For each fiscal year beginning with 2010-11 and ending
23 with fiscal year 2019-20, \$79,000,000.

24 ***-1406/3.9* SECTION 643.** 23.0917 (4) (a) of the statutes is amended to read:

1 23.0917 (4) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
2 2009-10 2019-20, the department may obligate moneys under the subprogram for
3 property development and local assistance. Moneys obligated under this
4 subprogram may be only used for nature-based outdoor recreation, except as
5 provided under par. (cm).

6 ***-1406/3.10* SECTION 644.** 23.0917 (4) (d) 1. of the statutes is amended to read:

7 23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in
8 fiscal year 2000-01 and not more than \$11,500,000 in fiscal year 2001-02 under the
9 subprogram except as provided in sub. (5). For each fiscal year beginning with
10 2002-03 and ending with fiscal year 2009-10, the department may obligate not more
11 than \$15,000,000 under the subprogram except as provided in sub. (5). For each
12 fiscal year beginning with 2010-11 and ending with fiscal year 2019-20, the
13 department may obligate not more than \$26,000,000 under the subprogram except
14 as provided in sub. (5).

15 ***-1406/3.11* SECTION 645.** 23.0917 (4) (d) 2. of the statutes is amended to read:

16 23.0917 (4) (d) 2. The department may obligate not more than \$8,000,000
17 \$14,000,000 in each fiscal year for local assistance.

18 ***-1406/3.12* SECTION 646.** 23.0917 (7) (a) of the statutes is amended to read:

19 23.0917 (7) (a) Except as provided in pars. (b) and (c), for purposes of
20 calculating the acquisition costs for acquisition of land under ss. 23.09 (19), (20) and
21 (20m), 23.092 (4), 23.094 (3g), 23.0953, 23.096, 30.24 (4) and 30.277 from the
22 appropriation under s. 20.866 (2) (ta), the acquisition costs shall equal the sum of the
23 land's current fair market value and other acquisition costs, as determined by rule
24 by the department.

25 ***-1406/3.13* SECTION 647.** 23.0917 (12) of the statutes is amended to read:

1 23.0917 (12) EXPENDITURES AFTER JUNE 30, ~~2010~~ 2020. If the remaining bonding
2 authority for a subprogram under sub. (3) or (4) on June 30, ~~2010~~ 2020, is an amount
3 greater than zero, the department may expend any portion of this remaining bonding
4 authority for that subprogram in one or more subsequent fiscal years.

5 *-1406/3.14* SECTION 648. 23.092 (1) of the statutes is renumbered 23.092
6 (1m).

7 *-1406/3.15* SECTION 649. 23.092 (1b) of the statutes is created to read:
8 23.092 (1b) In this section, "nonprofit conservation organization" has the
9 meaning given in s. 23.0955 (1).

10 *-1406/3.16* SECTION 650. 23.092 (2) of the statutes is amended to read:
11 23.092 (2) For each area designated under sub. (1) (1m), the department shall
12 prepare a plan, based upon the specific qualities of the area designated, that is
13 designed to protect, enhance or restore the habitat in the designated area. After
14 preparation of a plan for a designated area, the department shall encourage
15 landowners to use specific management practices that are designed to implement the
16 plan.

17 *-1406/3.17* SECTION 651. 23.092 (4) of the statutes is amended to read:
18 23.092 (4) The department may share the costs of implementing land
19 management practices with landowners, or with nonprofit conservation
20 organizations that are qualified to enhance wildlife-based recreation if these
21 organizations have the landowner's permission to implement the practices. The
22 department may share the costs of acquiring easements for habitat areas with
23 landowners or with these nonprofit conservation organizations. If the funding for
24 cost-sharing under this subsection will be expended from the appropriation under
25 s. 20.866 (2) (ta), the amount expended for the cost-sharing may not exceed 50% of

1 the cost of the management practices or of the acquisition costs for the easement
2 except as provided in s. 23.096 (2m).

3 ***-1406/3.18* SECTION 652.** 23.094 (3m) of the statutes is amended to read:

4 23.094 (3m) LIMITS. ~~A~~ Except as provided in s. 23.096 (2m), a grant under sub.
5 (3g) may not exceed 50% of the acquisition costs for the land or the easement.

6 ***-1406/3.19* SECTION 653.** 23.0953 of the statutes is created to read:

7 **23.0953 Grants to counties for land acquisition.** (1) In this section,
8 “nature-based outdoor recreation” has the meaning given by the department by rule
9 under s. 23.0917 (4) (f).

10 (2) The department shall establish a program from the appropriation under s.
11 20.866 (2) (ta) to make grants to counties to acquire land for nature-based outdoor
12 recreation. For purposes of s. 23.0917, moneys provided from the appropriation
13 under s. 20.866 (2) (ta) shall be treated as moneys obligated from the subprogram
14 under s. 23.0917 (3).

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

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

21 ***-1406/3.20* SECTION 654.** 23.096 (2) (b) of the statutes is amended to read:

22 23.096 (2) (b) ~~A~~ Except as provided in sub. (2m), a grant awarded under this
23 section may not exceed 50% of the acquisition costs of the property.

24 ***-1406/3.21* SECTION 655.** 23.096 (2m) of the statutes is created to read:

1 23.096 (2m) Notwithstanding sub. (2) (b), in each fiscal year beginning with
2 fiscal year 2010-11, the department may award grants under this section that equal
3 up to 75 percent of the acquisition costs of the property if the natural resources board
4 determines that all of the following apply:

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

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

10 (c) That sufficient bonding authority remains in the amount set aside under s.
11 23.0917 (3) (br) for that fiscal year after awarding grants to nonprofit conservation
12 organizations that meet the matching requirement under sub. (2) (b).

13 ***-1278/3.8* SECTION 656.** 23.15 (1) of the statutes is amended to read:

14 23.15 (1) The natural resources board may sell, at public or private sale, lands
15 and structures owned by the state under the jurisdiction of the department of natural
16 resources, except central or district office facilities, when the natural resources board
17 determines that said lands are no longer necessary for the state's use for
18 conservation purposes and, if real property, the real property is not the subject of a
19 petition under s. 560.9810 (2).

20 ***-1632/2.1* SECTION 657.** 23.197 (10) of the statutes is created to read:

21 23.197 (10) MIRROR LAKE; BOATING ACCESS. From the appropriation under s.
22 20.866 (2) (ta), the department shall provide funding in an amount not to exceed
23 \$1,000,000 to improve navigability for recreational boating in Mirror Lake in Sauk
24 County and in the streams flowing into the lake. For the purposes of s. 23.0917,
25 moneys provided under this subsection from the appropriation under s. 20.866 (2)

1 (ta) shall be treated as moneys obligated under either or both of the subprograms
2 under s. 23.0917 (3) and (4).

3 ***-1406/3.22* SECTION 658.** 23.1985 of the statutes is amended to read:

4 **23.1985 Acquisition of certain public lands.** Beginning in fiscal year
5 2006-07 and ending in fiscal year ~~2009-10~~ 2019-20, from the appropriation under
6 s. 20.866 (2) (ta), the department shall set aside \$2,000,000 in each fiscal year that
7 may be obligated only to acquire land from the board of commissioners of public lands
8 under s. 24.59 (1). If the department sets aside, but does not obligate moneys in a
9 fiscal year under this section, the department may obligate those nonobligated
10 moneys in a subsequent fiscal year under this section in addition to the amounts the
11 department is required to set aside for that subsequent fiscal year. For purposes of
12 s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
13 treated as moneys obligated under the subprogram under s. 23.0917 (3).

14 ***-1510/3.2* SECTION 659.** 23.22 (2) (b) 6. of the statutes is amended to read:

15 **23.22 (2) (b) 6.** Promulgate rules to identify, classify, and control invasive
16 species for purposes of the program. In promulgating these rules, the department
17 shall consider the recommendations of the council under sub. (3) (a). As part of these
18 rules, the department may establish procedures and requirements for issuing
19 permits to control invasive species.

20 ***-1473/4.1* SECTION 660.** 23.22 (2) (c) of the statutes is amended to read:

21 **23.22 (2) (c)** Under the program established under par. (a), the department
22 shall promulgate rules to establish a procedure to award cost-sharing grants to
23 public and private entities for up to ~~50%~~ 75 percent of the costs of projects to control
24 invasive species. The rules promulgated under this paragraph shall establish
25 criteria for determining eligible projects and eligible grant recipients. Eligible

1 projects shall include education and inspection activities at boat landings. The rules
2 shall allow cost-share contributions to be in the form of money or in-kind goods or
3 services or any combination thereof. In promulgating these rules, the department
4 shall consider the recommendations of the council under sub. (3) (c). From the
5 appropriation under s. 20.370 (6) (ar), the department shall make available in each
6 fiscal year \$1,500,000 for cost-sharing grants ~~to be awarded to local governmental~~
7 ~~units for the control of invasive species that are aquatic species \$1,000,000 in fiscal~~
8 ~~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.

9 ***-1510/3.3* SECTION 661.** 23.22 (8) of the statutes is created to read:

10 23.22 (8) PENALTIES. (a) Except as provided in pars. (b) and (c), any person who
11 violates a rule promulgated under sub. (2) (b) 6., or any permit issued under those
12 rules, shall forfeit not more than \$200.

13 (b) Any person who intentionally violates any rule promulgated under sub. (2)
14 (b) 6. or any permit issued under those rules shall be fined not less than \$1,000 nor
15 more than \$5,000, or shall be imprisoned for not less than 6 months nor more than
16 9 months or both.

17 (c) A person who violates a rule promulgated under sub. (2) (b) 6. or any permit
18 issued under those rules and who, within 5 years before the arrest of the current
19 conviction, was previously convicted of a violation of a rule promulgated under sub.
20 (2) (b) 6. or any permit issued under those rules shall be fined not less than \$700 nor
21 more than \$2,000 or shall be imprisoned for not less than 6 months nor more than
22 9 months or both.

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

5 ***-1510/3.4* SECTION 662.** 23.22 (9) of the statutes is created to read:

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

- 10 1. Issue a citation pursuant to s. 23.50 to 23.99.
- 11 2. Refer the matter to the department of justice for enforcement under par. (b).
- 12 3. Revoke a permit issued under the rules promulgated under sub. (2) (b) 6.,
13 after notice and opportunity for hearing.

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

22 (c) In an action initiated pursuant to a citation or initiated under par. (b), the
23 court may award, as an additional penalty, an amount equal to all or a portion of the
24 costs of investigation, including any monitoring, incurred by the department of
25 natural resources or the department of justice, which led to the establishment of the

1 violation. The court may also award the department of justice the reasonable and
2 necessary expenses of the prosecution, including attorney fees. The department of
3 justice shall deposit in the state treasury for deposit into the general fund all moneys
4 that the court awards to the department of justice under this paragraph. These
5 moneys shall be credited to the appropriation account under s. 20.455 (1) (gh).

6 ***-1510/3.5* SECTION 663.** 23.24 (6) (b) of the statutes is amended to read:

7 23.24 (6) (b) A person who violates sub. (3) and who, within 5 years before the
8 arrest of the current conviction, was previously convicted of a violation of sub. (3)
9 shall forfeit be fined not less than \$700 nor more than \$2,000 or shall be imprisoned
10 for not less than 6 months nor more than 9 months or both.

11 ***-0394/2.2* SECTION 664.** 23.33 (5) (d) of the statutes is amended to read:

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

25 ***-0011/3.1* SECTION 665.** 23.33 (13) (e) of the statutes is amended to read:

1 23.33 (13) (e) *Alcohol, controlled substances or controlled substance analogs;*
2 *assessment.* In addition to any other penalty or order, a person who violates sub. (4c)
3 (a) or (b) or (4p) (e) or who violates s. 940.09 or 940.25 if the violation involves the
4 operation of an all-terrain vehicle, shall be ordered by the court to submit to and
5 comply with an assessment by an approved public treatment facility for an
6 examination of the person's use of alcohol, controlled substances or controlled
7 substance analogs. The assessment order shall comply with s. 343.30 (1q) (c) 1. a-
8 to-e. Intentional failure to comply with an assessment ordered under this paragraph
9 constitutes contempt of court, punishable under ch. 785.

10 *-0444/P2.4* SECTION 666. 23.41 (5) of the statutes is amended to read:

11 23.41 (5) Each contract for construction work entered into by the department
12 under this section shall be awarded on the basis of bids or competitive sealed
13 proposals in accordance with procedures established by the department. Each
14 contract for construction work shall be awarded to the lowest responsible bidder or
15 the person submitting the most advantageous competitive sealed proposal as
16 determined by the department. If the bid of the lowest responsible bidder or the
17 proposal of the person submitting the most advantageous competitive sealed
18 proposal is determined by the department to be in excess of the estimated reasonable
19 value of the work or not in the public interest, the department may reject all bids or
20 competitive sealed proposals. Every such contract is exempted from ss. 16.70 to
21 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.
22 16.528, 16.753, 16.754, and 16.765, 16.771, and 16.871 apply to the contract. Every
23 such contract involving an expenditure of more than \$60,000 is not valid until the
24 contract is approved by the governor.

25 *-0392/1.1* SECTION 667. 23.51 (1m) of the statutes is amended to read:

1 23.51 (1m) "Citation" means a ~~pleading of essential facts and applicable law~~
2 ~~coupled with a demand for judgment, which notifies~~ complaint and includes a
3 notification to the person cited of a violation of a statute or rule enumerated in s.
4 23.50 (1) or of a violation of a local ordinance, and requests the person to appear in
5 court. ~~Part of the citation is a complaint.~~

6 ***-0392/1.2*** SECTION 668. 23.54 (1) of the statutes is amended to read:

7 23.54 (1) A citation may be prepared on a paper form or in an electronic format.
8 The defendant shall receive a copy of the citation. The citation shall contain ~~a~~
9 ~~complaint, a~~ an area to record the case history and a report of court action on the case.

10 ***-0392/1.3*** SECTION 669. 23.54 (2) of the statutes is repealed.

11 ***-0392/1.4*** SECTION 670. 23.62 (1) (a) of the statutes is amended to read:

12 23.62 (1) (a) Issue a citation to the defendant in the form manner specified in
13 s. 23.54, a paper copy or electronic version of which shall be filed with the clerk of
14 courts in the county where the violation was committed or with the office of the
15 municipal judge in the case of an ordinance violation;

16 ***-0392/1.5*** SECTION 671. 23.62 (2) (a) of the statutes is amended to read:

17 23.62 (2) (a) If the defendant is a resident of this state, a law enforcement officer
18 may serve a citation anywhere in the state by following the procedures used for the
19 service of a summons under s. 801.11 (1) (a) or (b) 1. or 1m. or (2) or by mailing a paper
20 copy to the defendant's last-known address.

21 ***-0392/1.6*** SECTION 672. 23.62 (2) (b) of the statutes is amended to read:

22 23.62 (2) (b) If the defendant is not a resident of the state, a law enforcement
23 officer may serve a citation by delivering a paper copy to the defendant personally
24 or by mailing a paper copy to the defendant's last-known address.

25 ***-0392/1.7*** SECTION 673. 23.68 of the statutes is amended to read:

1 **23.68 Pleading.** The A citation or complaint issued pursuant to s. 23.62 or a
2 complaint issued pursuant to s. 23.65 may serve as the initial pleading and,
3 notwithstanding any other provisions of the statutes, shall be deemed adequate
4 process to give the appropriate court jurisdiction over the person upon the filing of
5 the citation or complaint with such court.

6 ***-1006/3.2* SECTION 674.** 25.14 (1) (a) (intro.) of the statutes is amended to
7 read:

8 25.14 (1) (a) (intro.) There is created a state investment fund under the
9 jurisdiction and management of the board to be operated as an investment trust for
10 the purpose of managing the securities of all funds that are required by law to be
11 invested in the state investment fund and all of the state's funds consisting of the
12 funds specified in s. 25.17 (1), except all of the following:

13 ***-1181/9.13* SECTION 675.** 25.17 (1) (ab) of the statutes is created to read:

14 25.17 (1) (ab) Affordable housing trust fund (s. 25.415);

15 ***-1181/9.14* SECTION 676.** 25.17 (1) (bw) of the statutes is created to read:

16 25.17 (1) (bw) County aid fund (s. 25.51).

17 ***-0892/11.10* SECTION 677.** 25.17 (1) (gd) of the statutes is created to read:

18 25.17 (1) (gd) Health care quality fund (s. 25.772);

19 ***-1006/3.3* SECTION 678.** 25.17 (63) of the statutes is created to read:

20 25.17 (63) If requested by the Health Insurance Risk-Sharing Plan Authority,
21 invest funds of the Health Insurance Risk-Sharing Plan Authority in the state
22 investment fund.

23 ***-0444/P2.5* SECTION 679.** 25.18 (1) (a) of the statutes is amended to read:

24 25.18 (1) (a) Notwithstanding s. 20.930 and all provisions of subch. IV of ch.
25 16, except s. ss. 16.753 and 16.771, employ special legal or investment counsel in any

1 matters arising out of the scope of its investment authority. Section 16.753 does not
2 apply to the employment of legal or investment counsel for the purpose of assisting
3 the board with investments. The employment of special legal counsel shall be with
4 the advice and consent of the attorney general whenever such special counsel is to
5 be compensated by the board. Any expense of counsel so employed shall be borne by
6 the fund for which the services shall be furnished.

7 ***-0444/P2.6* SECTION 680.** 25.18 (1) (f) of the statutes is amended to read:

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

17 ***-0444/P2.7* SECTION 681.** 25.18 (1) (m) of the statutes is amended to read:

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

1 ***-1202/1.1*** SECTION 682. 25.187 (2) (a) of the statutes is amended to read:

2 25.187 (2) (a) Subject to ~~pars. (b) and par. (c)~~, on ~~July 1 and January~~ September
3 1 of each year, the investment board shall ~~estimate the amounts required for its~~
4 ~~operating expenditures for the next 6-month period and shall~~ assess each fund for
5 which the board has management responsibility for its share of the estimated board's
6 operating expenditures for the current fiscal year in an equitable manner. The board
7 shall pay the assessment from the current income of each fund, unless an
8 appropriation is made for payment of the assessment, in which case the assessment
9 shall be paid from that appropriation account.

10 ***-1202/1.2*** SECTION 683. 25.187 (2) (b) of the statutes is repealed.

11 ***-1202/1.3*** SECTION 684. 25.187 (2) (c) 1. of the statutes is amended to read:

12 25.187 (2) (c) 1. Except as provided in subd. 2., the total amount that the board
13 may assess the funds for which the board has management responsibility for any
14 fiscal year may not exceed the greater of \$20,352,800 or 0.0275% the amount that the
15 board could have assessed the funds in the 2nd year of the prior fiscal biennium or
16 0.0325% of the average market value of the assets of the funds at the end of each
17 month between November 30 and April 30 of the preceding fiscal year.

18 ***-1202/1.4*** SECTION 685. 25.187 (2) (c) 3. c. of the statutes is created to read:

19 25.187 (2) (c) 3. c. Annually, no later than June 15, certify to the department
20 of administration and to the joint committee on finance the maximum amount that
21 the board may assess the funds for which the board has management responsibility
22 in the next fiscal year.

23 ***-1530/7.1*** SECTION 686. 25.40 (1) (bd) of the statutes is created to read:

24 25.40 (1) (bd) Oil company assessments under subch. XIV of ch. 77.

25 ***-1181/9.15*** SECTION 687. 25.415 of the statutes is created to read:

1 **25.415 Affordable housing trust fund.** There is established a separate
2 nonlapsible trust fund designated as the affordable housing trust fund, to consist of
3 moneys that may be transferred from the county aid fund under s. 20.855 (4) (vm).

4 ***-1470/1.3* SECTION 688.** 25.46 (1m) of the statutes is amended to read:

5 **25.46 (1m)** The moneys transferred under s. 20.855 (4) (f) (rm) for nonpoint
6 source water pollution abatement.

7 ***-1113/2.1* SECTION 689.** 25.46 (7) of the statutes is amended to read:

8 **25.46 (7)** The fees imposed under s. 289.67 (1) for environmental management,
9 except that for each ton of waste for which the fee is \$1.60 per ton, 75 cents is for
10 nonpoint source water pollution abatement.

11 ***-0314/1.2* SECTION 690.** 25.47 (4m) of the statutes is created to read:

12 **25.47 (4m)** The payments under s. 101.1435 (4).

13 ***-1524/P3.11* SECTION 691.** 25.50 (1) (d) of the statutes is amended to read:

14 **25.50 (1) (d)** "Local government" means any county, town, village, city, power
15 district, sewerage district, drainage district, town sanitary district, public inland
16 lake protection and rehabilitation district, local professional baseball park district
17 created under subch. III of ch. 229, family long-term care district under s. 46.2895,
18 local professional football stadium district created under subch. IV of ch. 229, local
19 cultural arts district created under subch. V of ch. 229, public library system, school
20 district or technical college district in this state, any commission, committee, board
21 or officer of any governmental subdivision of this state, any court of this state, other
22 than the court of appeals or the supreme court, or any authority created under s.
23 114.61, 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.

1 *-1181/9.16* SECTION 692. 25.51 of the statutes is created to read:

2 **25.51 County aid fund.** There is established a separate nonlapsible trust
3 fund designated as the county aid fund consisting of the moneys the state receives
4 under s. 77.24.

5 *-1278/3.9* SECTION 693. 25.60 of the statutes is amended to read:

6 **25.60 Budget stabilization fund.** There is created a separate nonlapsible
7 trust fund designated as the budget stabilization fund, consisting of moneys
8 transferred to the fund from the general fund under ss. 13.48 (14) (c), 16.518 (3), and
9 16.72 (4) (b), and 16.848.

10 *-1261/5.152* *-1267/P1.46* SECTION 694. 25.68 (1) of the statutes is
11 amended to read:

12 25.68 (1) All moneys received by the department of ~~workforce development~~
13 children and families under s. 49.854, except for moneys received under s. 49.854 (11)
14 (b).

15 *-1261/5.153* *-1267/P1.47* SECTION 695. 25.68 (3) of the statutes is
16 amended to read:

17 25.68 (3) All moneys not specified under sub. (2) that are received under a
18 judgment or order in an action affecting the family, as defined in s. 767.001 (1), by
19 the department of ~~workforce development~~ children and families or its designee.

20 *-0892/11.11* SECTION 696. 25.69 of the statutes is amended to read:

21 **25.69 Permanent endowment fund.** There is established a separate
22 nonlapsible trust fund designated as the permanent endowment fund, consisting of
23 all of the proceeds from the sale of the state's right to receive payments under the
24 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
25 and all investment earnings on the proceeds. There is transferred from the

1 permanent endowment fund to the health care quality fund \$50,000,000 in each
2 fiscal year.

3 *-0892/11.12* SECTION 697. 25.772 of the statutes is created to read:

4 **25.772 Health care quality fund.** There is established a separate
5 nonlapsible trust fund designated as the health care quality fund, to consist of all of
6 the following:

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

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

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

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

12 (6).

13 *-1252/5.2* SECTION 698. 25.96 of the statutes is amended to read:

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

18 *-1440/2.5* SECTION 699. 26.385 of the statutes is repealed.

19 *-0373/4.2* SECTION 700. 28.05 (3) (c) of the statutes is created to read:

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

25 *-1440/2.6* SECTION 701. 28.085 of the statutes is amended to read:

1 **28.085 Timber.** The department shall allocate for private forest grants under
2 s. 26.38, for forestry research and development grants under s. 26.385, for the
3 forestry education grant program under s. 26.40, for school forest transportation
4 funding under s. 26.39 (5), for transfer to the appropriation under s. 20.292 (1) (km)
5 for master logger apprenticeship grants under s. 38.04 (29), or for forestry
6 internships under s. 26.39.

7 *-1261/5.154* *-1267/P1.48* **SECTION 702.** 29.024 (2g) (am) of the statutes is
8 amended to read:

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

17 *-1261/5.155* *-1267/P1.49* **SECTION 703.** 29.024 (2g) (c) of the statutes is
18 amended to read:

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

23 *-1261/5.156* *-1267/P1.50* **SECTION 704.** 29.024 (2g) (d) 1. of the statutes
24 is amended to read:

1 29.024 (2g) (d) 1. As provided in the memorandum of understanding required
2 under s. 49.857 (2), the department shall deny an application to issue or renew,
3 suspend if already issued or otherwise withhold or restrict an approval specified in
4 par. (a) 1. to 3. if the applicant for or the holder of the approval is delinquent in
5 making court-ordered payments of child or family support, maintenance, birth
6 expenses, medical expenses or other expenses related to the support of a child or
7 former spouse or if the applicant or holder fails to comply with a subpoena or warrant
8 issued by the department of ~~workforce development~~ children and families or a county
9 child support agency under s. 59.53 (5) and relating to paternity or child support
10 proceedings.

11 *-1261/5.157* *-1267/P1.51* SECTION 705. 29.024 (2r) (am) of the statutes is
12 amended to read:

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

22 *-0395/1.2* SECTION 706. 29.024 (6) (ag) of the statutes is created to read:

23 29.024 (6) (ag) Under a contract issued under par. (a) 4., the department may
24 deduct a portion of each fee collected for a license issued pursuant to the statewide

1 automated system. The department shall credit all of the amounts deducted to the
2 appropriation account under s. 20.370 (1) (hx).

3 ***-0396/P1.1* SECTION 707.** 29.229 (2) (hm) of the statutes is created to read:

4 29.229 (2) (hm) Two-day inland lake trout fishing licenses.

5 ***-1261/5.158* *-1267/P1.52* SECTION 708.** 29.229 (5m) (a) of the statutes is
6 amended to read:

7 29.229 (5m) (a) The band is requested to enter into a memorandum of
8 understanding with the department of ~~workforce development~~ children and families
9 under s. 49.857.

10 ***-1261/5.159* *-1267/P1.53* SECTION 709.** 29.229 (5m) (b) of the statutes is
11 amended to read:

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

23 ***-1261/5.160* *-1267/P1.54* SECTION 710.** 29.229 (5m) (c) of the statutes is
24 amended to read:

1 29.229 (5m) (c) The band is requested to enact tribal laws or ordinances that
2 deny an application to issue or renew, suspend if already issued or otherwise
3 withhold or restrict an approval issued under this section if the applicant for or the
4 holder of the approval fails to provide the information required under tribal laws or
5 ordinances enacted under par. (b) or fails to comply, after appropriate notice, with a
6 subpoena or warrant issued by the department of ~~workforce development~~ children
7 and families or a county child support agency under s. 59.53 (5) and related to
8 paternity or child support proceedings or if the department of ~~workforce~~
9 development children and families certifies that the applicant for or the holder of the
10 approval has failed to pay court-ordered payments of child or family support,
11 maintenance, birth expenses, medical expenses or other expenses related to the
12 support of a child or former spouse. The band is also requested to enact tribal laws
13 or ordinances that invalidate an approval issued under this subsection if issued in
14 reliance upon a statement made or subscribed under oath or affirmation under tribal
15 laws or ordinances enacted under par. (b) that is false.

16 ***-0396/P1.2*** SECTION 711. 29.2295 (2) (hm) of the statutes is created to read:

17 29.2295 (2) (hm) Two-day inland lake trout fishing licenses.

18 ***-0375/1.1*** SECTION 712. 29.535 of the statutes is created to read:

19 **29.535 Shovelnose sturgeon permit.** (1) The department shall issue,
20 subject to s. 29.024, an annual shovelnose sturgeon permit to any resident who
21 applies for the permit and who holds at least one of the following licenses:

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

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

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

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

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

3 (3) A person who holds an annual shovelnose sturgeon permit shall report to
4 the department, on forms provided by the department, on or before the 10th day of
5 each month, the number of pounds of shovelnose sturgeon eggs harvested during the
6 preceding calendar month.

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

9 *-1542/2.1* SECTION 713. 29.563 (2) (a) 5m. of the statutes is amended to read:

10 29.563 (2) (a) 5m. Elk: ~~\$46.25~~ \$72.25.

11 *-1542/2.2* SECTION 714. 29.563 (2) (b) 3m. of the statutes is amended to read:

12 29.563 (2) (b) 3m. Elk: ~~\$248.25~~ \$397.25.

13 *-0375/1.2* SECTION 715. 29.563 (7) (c) 5g. of the statutes is created to read:

14 29.563 (7) (c) 5g. Shovelnose sturgeon permit: \$50.

15 *-1542/2.3* SECTION 716. 29.563 (14) (a) 3. of the statutes is amended to read:

16 29.563 (14) (a) 3. The processing fee for applications for elk hunting licenses:
17 ~~\$2.75~~ \$9.75.

18 *-1406/3.23* SECTION 717. 30.24 (4) of the statutes is amended to read:

19 30.24 (4) LIMIT ON GRANTS. ~~A~~ Except as provided in s. 23.096 (2m), a grant
20 awarded under this section or under s. 23.096 to protect bluffs may not exceed 50%
21 of the acquisition costs.

22 *-1406/3.24* SECTION 718. 30.277 (5) of the statutes is amended to read:

23 30.277 (5) ~~CONTRIBUTION BY GOVERNMENTAL UNIT~~ MATCHING CONTRIBUTIONS. ~~To~~
24 Except as provided in s. 23.096 (2m) to be eligible for a grant under this section, at
25 least 50% of the acquisition costs for land or of the project costs shall be funded by

1 private, local or federal funding, by in-kind contributions or by state funding. For
2 purposes of this subsection, state funding may not include grants under this section,
3 moneys appropriated to the department under s. 20.370 or money appropriated
4 under s. 20.866 (2) (ta), (tp) to (tw), (ty) or (tz).

5 ***-1360/1.1* SECTION 719.** 30.52 (3) (b) of the statutes is amended to read:

6 30.52 (3) (b) *Fee for boats under 16 feet.* The fee for the issuance or renewal of
7 a certificate of number for a boat less than 16 feet in length is ~~\$16.50~~ \$22.00.

8 ***-1360/1.2* SECTION 720.** 30.52 (3) (c) of the statutes is amended to read:

9 30.52 (3) (c) *Fee for boats 16 feet or more but less than 26 feet.* The fee for the
10 issuance or renewal of a certificate of number for a boat 16 feet or more but less than
11 26 feet in length is ~~\$24~~ \$31.

12 ***-1360/1.3* SECTION 721.** 30.52 (3) (d) of the statutes is amended to read:

13 30.52 (3) (d) *Fee for boats 26 feet or more but less than 40 feet.* The fee for the
14 issuance or renewal of a certificate of number for a boat 26 feet or more but less than
15 40 feet in length is ~~\$45~~ \$59.

16 ***-1360/1.4* SECTION 722.** 30.52 (3) (e) of the statutes is amended to read:

17 30.52 (3) (e) *Fee for boats 40 feet or longer.* The fee for the issuance or renewal
18 of a certificate of number for a boat 40 feet or more in length is ~~\$75~~ \$98.

19 ***-1360/1.5* SECTION 723.** 30.52 (3) (f) of the statutes is amended to read:

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

23 ***-1360/1.6* SECTION 724.** 30.52 (3) (fm) of the statutes is amended to read:

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

4 ***-0394/2.3*** SECTION 725. 30.74 (1) (b) of the statutes is amended to read:

5 30.74 (1) (b) The department by rule shall set the instruction fee for the course.
6 A person conducting a course or giving instruction under this subsection shall collect
7 the instruction fee from each person who receives instruction. The department may
8 determine the portion of this fee, which may not exceed 50%, that the person may
9 retain to defray expenses incurred by the person in conducting the course or giving
10 the instruction. The person shall remit the remainder of the fee or, if nothing is
11 retained, the entire fee to the department. ~~The department by rule shall set the fee~~
12 ~~for the course.~~ The department shall issue a duplicate certificate of accomplishment
13 to a person who is entitled to a duplicate certificate of accomplishment and who pays
14 a fee of \$2.75.

15 ***-1261/5.161*** ***-1261/P3.111*** SECTION 726. 35.86 (1) of the statutes is
16 amended to read:

17 35.86 (1) The director of the historical society may procure the exchange of
18 public documents produced by federal, state, county, local, and other agencies as may
19 be desirable to maintain or enlarge its historical, literary, and statistical collections,
20 and may make such distributions of public documents, with or without exchange, as
21 may accord with interstate or international comity. The state law librarian shall
22 procure so many of such exchanges as the state law librarian is authorized by law
23 to make, and the department of health and family services, department of children
24 and families, commission of banking, department of public instruction, legislative
25 reference bureau, and the legislative council staff, may procure by exchange such

1 documents from other states and countries as may be needed for use in their
2 respective offices. Any other state agency wishing to initiate a formal exchange
3 program in accordance with this section may do so by submitting a formal application
4 to the department and by otherwise complying with this section.

5 ***-1578/2.1* SECTION 727.** 36.09 (1) (e) of the statutes is amended to read:

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

19 ***-1352/4.18* SECTION 728.** 36.09 (1) (j) of the statutes is amended to read:

20 36.09 (1) (j) Except where such matters are a subject of bargaining with a
21 certified representative of a collective bargaining unit under s. 111.91 or 111.998, the
22 board shall establish salaries for persons not in the classified staff prior to July 1 of
23 each year for the next fiscal year, and shall designate the effective dates for payment
24 of the new salaries. In the first year of the biennium, payments of the salaries
25 established for the preceding year shall be continued until the biennial budget bill

1 is enacted. If the budget is enacted after July 1, payments shall be made following
2 enactment of the budget to satisfy the obligations incurred on the effective dates, as
3 designated by the board, for the new salaries, subject only to the appropriation of
4 funds by the legislature and s. 20.928 (3). This paragraph does not limit the
5 authority of the board to establish salaries for new appointments. The board may
6 not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and
7 230.08 (2) (d) under this paragraph unless the salary increase conforms to the
8 proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary
9 increase to correct salary inequities under par. (h), to fund job reclassifications or
10 promotions, or to recognize competitive factors. The board may not increase the
11 salary of any position identified in s. 20.923 (4g) under this paragraph unless the
12 salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the
13 board authorizes the salary increase to correct a salary inequity or to recognize
14 competitive factors. The board may not increase the salary of any position identified
15 in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the
16 appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless
17 the increase is approved by the office of state employment relations. The granting
18 of salary increases to recognize competitive factors does not obligate inclusion of the
19 annualized amount of the increases in the appropriations under s. 20.285 (1) for
20 subsequent fiscal bienniums. No later than October 1 of each year, the board shall
21 report to the joint committee on finance and the secretary of administration and
22 director of the office of state employment relations concerning the amounts of any
23 salary increases granted to recognize competitive factors, and the institutions at
24 which they are granted, for the 12-month period ending on the preceding June 30.

25 *-1579/1.1* SECTION 729. 36.11 (3) (d) 1. of the statutes is amended to read:

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

6 *-1579/1.2* SECTION 730. 36.11 (3) (d) 2. of the statutes is amended to read:

7 36.11 (3) (d) 2. The board shall require that a \$45 \$60 fee accompany each
8 application for admittance to a graduate school, law school or medical school within
9 the system.

10 *-1578/2.2* SECTION 731. 36.11 (53) of the statutes is created to read:

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

19 *-1365/2.1* SECTION 732. 36.27 (2) (cr) of the statutes is created to read:

20 36.27 (2) (cr) A person who is a citizen of a country other than the United States
21 is entitled to the exemption under par. (a) if that person meets all of the following
22 requirements:

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

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

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

7 *-0374/3.1* SECTION 733. 36.27 (3n) (b) 3. of the statutes is amended to read:

8 36.27 (3n) (b) 3. A child of an eligible veteran, if the child is at least 18 17 but
9 not yet 26 years of age and is a full-time student at an institution.

10 *-0192/2.2* SECTION 734. 36.27 (3n) (c) of the statutes is created to read:

11 36.27 (3n) (c) The higher educational aids board shall reimburse the board of
12 regents for all academic fees and segregated fees remitted under par. (b) as provided
13 in s. 39.50 (1).

14 *-0192/2.3* SECTION 735. 36.27 (3p) (c) of the statutes is created to read:

15 36.27 (3p) (c) The higher educational aids board shall reimburse the board of
16 regents for all nonresident tuition, academic fees, and segregated fees remitted
17 under par. (b) as provided in s. 39.50 (1).

18 *-1261/5.162* *-1261/P3.112* SECTION 736. 38.04 (21) (intro.) of the statutes
19 is amended to read:

20 38.04 (21) (intro.) PUPILS ATTENDING TECHNICAL COLLEGES; BOARD REPORT.
21 Annually by the 3rd Monday in February the board shall submit a report to the
22 department of administration, department of children and families, department of
23 public instruction, and department of workforce development, and to the legislature
24 under s. 13.172 (2). The report shall specify all of the following by school district:

25 *-1365/2.2* SECTION 737. 38.22 (6) (e) of the statutes is created to read:

1 38.22 (6) (e) Any person who is a citizen of a country other than the United
2 States if that person meets all of the following requirements:

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

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

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

11 ***-0374/3.2*** SECTION 738. 38.24 (7) (b) 3. of the statutes is amended to read:

12 38.24 (7) (b) 3. A child of an eligible veteran, if the child is at least 18 17 but
13 not yet 26 years of age and is a full-time student at a technical college.

14 ***-0192/2.4*** SECTION 739. 38.24 (7) (c) of the statutes is created to read:

15 38.24 (7) (c) The higher educational aids board shall reimburse the district
16 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
17 39.50 (2).

18 ***-0192/2.5*** SECTION 740. 38.24 (8) (c) of the statutes is created to read:

19 38.24 (8) (c) The higher educational aids board shall reimburse the district
20 board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s.
21 39.50 (2).

22 ***-1471/2.14*** SECTION 741. 38.28 (3) of the statutes is amended to read:

23 38.28 (3) If the appropriation for state aid under s. 20.292 (1) (fe) (u) in any one
24 year is insufficient to pay the full amount under subs. (2) (c) and (g), funds in the
25 appropriation shall be used first for the purposes of sub. (2) (c) and any remaining

1 funds shall be prorated among the districts entitled to support under sub. (2) (g). If
2 the appropriation for state aid under s. 20.292 (1) (fe) (u) in any one year is
3 insufficient to pay the full amount under sub. (2) (c), funds in the appropriation shall
4 be prorated among the districts entitled to the funds.

5 ***-1471/2.15* SECTION 742.** 38.29 (2) (c) of the statutes is amended to read:

6 38.29 (2) (c) Amounts awarded shall be paid from the appropriation under s.
7 20.292 (1) (fg) (v).

8 ***-0191/1.1* SECTION 743.** 39.435 (3) of the statutes is amended to read:

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

17 ***-1662/1.2* SECTION 744.** 39.435 (7) (a) 1. of the statutes is amended to read:

18 39.435 (7) (a) 1. For purposes of calculating the amount to be appropriated
19 under s. 20.235 (1) (fe) for fiscal year 2007-08 2009-10, "base amount" means the
20 amount shown in the schedule under s. 20.005 for that appropriation for fiscal year
21 2006-07 2008-09.

22 ***-1662/1.3* SECTION 745.** 39.435 (7) (a) 2. of the statutes is amended to read:

23 39.435 (7) (a) 2. For purposes of calculating the amount to be appropriated
24 under s. 20.235 (1) (fe) for each fiscal year after fiscal year 2007-08 2009-10, "base

1 amount" means the appropriation amount calculated under par. (b) for the previous
2 fiscal year.

3 ***-1662/1.4* SECTION 746.** 39.435 (7) (b) (intro.) of the statutes is amended to
4 read:

5 39.435 (7) (b) (intro.) Biennially, beginning on February 1, 2007 2009, the board
6 shall calculate the amounts to be appropriated under s. 20.235 (1) (fe) for the next
7 biennium as follows:

8 ***-0201/4.5* SECTION 747.** 39.437 of the statutes is created to read:

9 **39.437 Wisconsin covenant scholars grants. (1) ESTABLISHMENT OF GRANT**
10 PROGRAM. There is established, to be administered by the board, a Wisconsin
11 Covenant Scholars Program to provide grants to students who meet the eligibility
12 criteria specified in sub. (2).

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

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

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

1 adjusted gross income of the student, as shown on the student's application for
2 student financial assistance, does not exceed those income guidelines.

3 (b) 1. The board may not make a grant under this section to a person whose
4 name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the
5 person provides to the board a payment agreement that has been approved by the
6 county child support agency under s. 59.53 (5) and that is consistent with rules
7 promulgated under s. 49.858 (2) (a).

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

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

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

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

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

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

11 *-0192/2.6* SECTION 748. 39.50 of the statutes is created to read:

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

24 (2) TECHNICAL COLLEGES. At the end of each semester, each technical college
25 district board shall certify to the board the number of students enrolled in the

1 technical college governed by the district board to whom any fees have been remitted
2 under s. 38.24 (7) or (8), the number of credits for which those fees have been
3 remitted, and the amount of those fees remitted. If the board approves the
4 information certified under this subsection, the board, from the appropriation
5 account under s. 20.235 (1) (fz), shall reimburse the district board for the amount of
6 fees remitted.

7 ***-1474/2.1* SECTION 749.** 40.02 (20) of the statutes is renumbered 40.02 (20)

8 (intro.) and amended to read:

9 40.02 (20) (intro.) "Dependent" means the:

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

17 ***-1474/2.2* SECTION 750.** 40.02 (20) (b) of the statutes is created to read:

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

25 ***-1474/2.3* SECTION 751.** 40.02 (21c) of the statutes is created to read:

1 40.02 (21c) "Domestic partner" means an individual in a domestic partnership.

2 *-1474/2.4* SECTION 752. 40.02 (21d) of the statutes is created to read:

3 40.02 (21d) "Domestic partnership" means a relationship between 2
4 individuals that satisfies all of the following:

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

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

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

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

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

15 *-1352/4.19* SECTION 753. 40.02 (25) (b) 8. of the statutes is amended to read:

16 40.02 (25) (b) 8. Any other state employee for whom coverage is authorized
17 under a collective bargaining agreement pursuant to subch. I or, V, or VI of ch. 111
18 or under s. 230.12 or 233.10.

19 *-1524/P3.12* SECTION 754. 40.02 (28) of the statutes is amended to read:

20 40.02 (28) "Employer" means the state, including each state agency, any
21 county, city, village, town, school district, other governmental unit or
22 instrumentality of 2 or more units of government now existing or hereafter created
23 within the state, any federated public library system established under s. 43.19
24 whose territory lies within a single county with a population of 500,000 or more, a
25 local exposition district created under subch. II of ch. 229 and a family long-term

1 care district created under s. 46.2895, except as provided under ss. 40.51 (7) and
2 40.61 (3) and subch. X. "Employer" does not include a local cultural arts district
3 created under subch. V of ch. 229. Each employer shall be a separate legal
4 jurisdiction for OASDHI purposes.

5 ***-1524/P3.13* SECTION 755.** 40.02 (28) of the statutes, as affected by 1999
6 Wisconsin Act 65, is amended to read:

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

17 ***-1524/P3.14* SECTION 756.** 40.02 (36) of the statutes is amended to read:

18 40.02 (36) "Governing body" means the legislature or the head of each state
19 agency with respect to employees of that agency for the state, the common council
20 in cities, the village board in villages, the town board in towns, the county board in
21 counties, the school board in school districts, or the board, commission or other
22 governing body having the final authority for any other unit of government, for any
23 agency or instrumentality of 2 or more units of government, for any federated public
24 library system established under s. 43.19 whose territory lies within a single county
25 with a population of 500,000 or more, for a local exposition district created under

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1 subch. II of ch. 229 or for a family long-term care district created under s. 46.2895,
2 but does not include a local cultural arts district created under subch. V of ch. 229.

3 ***-1272/5.27* SECTION 757.** 40.02 (54) (k) of the statutes is created to read:
4 40.02 (54) (k) The Healthy Wisconsin Authority.

5 ***-1006/3.4* SECTION 758.** 40.02 (54) (L) of the statutes is created to read:
6 40.02 (54) (L) The Health Insurance Risk-Sharing Plan Authority.

7 ***-1352/4.20* SECTION 759.** 40.05 (1) (b) of the statutes is amended to read:
8 40.05 (1) (b) In lieu of employee payment, the employer may pay all or part of
9 the contributions required by par. (a), but all the payments shall be available for
10 benefit purposes to the same extent as required contributions deducted from
11 earnings of the participating employees. Action to assume employee contributions
12 as provided under this paragraph shall be taken at the time and in the form
13 determined by the governing body of the participating employer. The state shall pay
14 under this paragraph for employees who are covered by a collective bargaining
15 agreement under subch. V or VI of ch. 111 and for employees whose fringe benefits
16 are determined under s. 230.12 an amount equal to 4% of the earnings paid by the
17 state unless otherwise provided in a collective bargaining agreement under subch.
18 V or VI of ch. 111 or unless otherwise determined under s. 230.12. The University
19 of Wisconsin Hospitals and Clinics Authority shall pay under this paragraph for
20 employees who are covered by a collective bargaining agreement under subch. I of
21 ch. 111 and for employees whose fringe benefits are determined under s. 233.10 an
22 amount equal to 4% of the earnings paid by the authority unless otherwise provided
23 in a collective bargaining agreement under subch. I of ch. 111 or unless otherwise
24 determined under s. 233.10. The state shall pay under this paragraph for employees
25 who are not covered by a collective bargaining agreement under subch. V or VI of ch.

1 111 and for employees whose fringe benefits are not determined under s. 230.12 an
2 amount equal to 4% of the earnings paid by the state unless a different amount is
3 recommended by the director of the office of state employment relations and
4 approved by the joint committee on employment relations in the manner provided
5 for approval of changes in the compensation plan under s. 230.12 (3). The University
6 of Wisconsin Hospitals and Clinics Authority shall pay under this paragraph for its
7 employees who are not covered by a collective bargaining agreement under subch.
8 I of ch. 111 an amount equal to 4% of the earnings paid by the authority unless a
9 different amount is established by the board of directors of the authority under s.
10 233.10.

11 ***-1477/5.1* SECTION 760.** 40.05 (4) (a) 2. of the statutes is amended to read:
12 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
13 40.02 (25) (a) 2. or (b) 1m., the employer shall pay required employer contributions
14 toward the health insurance premium of the insured employee beginning on the date
15 on which the employee becomes insured. For an insured state employee who is
16 currently employed, but who is not a limited term appointment under s. 230.26 or
17 an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m., the employer shall pay
18 required employer contributions toward the health insurance premium of the
19 insured employee beginning on the first day of the 7th 3rd month beginning after the
20 date on which the employee begins employment with the state, not including any
21 leave of absence. For an insured employee who has a limited term appointment
22 under s. 230.26, the employer shall pay required employer contributions toward the
23 health insurance premium of the insured employee beginning on the first day of the
24 7th month beginning after the date on which the employee first becomes a
25 participating employee.