October 15, 2007 – Introduced by COMMITTEE ON SENATE ORGANIZATION. Referred to Joint Committee on Finance.

1 AN ACT; relating to: state finances and appropriations, other than state finances and appropriations for operations of the Department of Transportation and programs administered by the Department of Transportation, constituting a biennial budget act of the 2007 legislature.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill makes numerous and diverse changes to state governmental finances and programs. It contains appropriations for the 2007–2009 fiscal biennium, except for those related to the Department of Transportation.

The bill repeals and recreates the appropriation schedule in chapter 20 of the statutes, with the exception of the appropriations for the Department of Transportation, thereby setting the appropriation levels for the 2007–2009 fiscal biennium.

For additional information concerning this bill, see the Legislative Fiscal Bureau’s summary document, October 2007 Special Session Senate Bill 1, Summary of Budget Provisions, and the Legislative Reference Bureau’s drafting files, which contain separate drafts on each policy item.

GUIDE TO THE BILL

As is the case for all other bills, the sections of the bill that affect statutes are organized in ascending numerical order of the statutes affected.
Treatments of prior session laws (styled “laws of [year], chapter ....” from 1848 to 1981, and “[year] Wisconsin Act ....” beginning with 1983) are displayed next by year of original enactment and by act number.

The remaining sections of the bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four-digit section number indicate the type of provision:

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

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

- **XX01** Administration.
- **XX02** Aging and Long-Term Care Board.
- **XX03** Agriculture, Trade and Consumer Protection.
- **XX04** Arts Board.
- **XX05** Building Commission.
- **XX06** Child Abuse and Neglect Prevention Board.
- **XX07** Circuit Courts.
- **XX08** Commerce.
- **XX09** Corrections.
- **XX10** Court of Appeals.
- **XX11** District Attorneys.
- **XX12** Educational Communications Board.
- **XX13** Elections Board.
- **XX14** Employee Trust Funds.
- **XX15** Employment Relations Commission.
- **XX16** Ethics Board.
- **XX17** Financial Institutions.
- **XX18** Fox River Navigational System Authority.
- **XX19** Governor.
- **XX20** Health and Educational Facilities Authority.
- **XX21** Health and Family Services.
- **XX22** Higher Educational Aids Board.
- **XX23** Historical Society.
- **XX24** Housing and Economic Development Authority.
- **XX25** Insurance.
- **XX26** Investment Board.
- **XX27** Joint Committee on Finance.
- **XX28** Judicial Commission.
- **XX29** Justice.
- **XX30** Legislature.
For example, for general nonstatutory provisions relating to the historical society, see Section 9123. For any agency that is not assigned a two-digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two-digit identification number or any provision that does not relate to the functions of a particular agency, see number “55” (other) within each type of provision.

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

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.
For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1b.** 5.05 (5s) (c) of the statutes, as affected by 2007 Wisconsin Act 1, is amended to read:

5.05 (5s) (c) The board shall provide information from investigation and hearing records that pertains to the location of individuals and assets of individuals as requested under s. 49.22 (2m) by the department of workforce development children and families or by a county child support agency under s. 59.53 (5).

**SECTION 1m.** 6.47 (1) (ag) of the statutes is amended to read:

6.47 (1) (ag) “Domestic abuse victim service provider” means an organization that is certified by the department of health and family services children and families as eligible to receive grants under s. 46.95 49.165 (2) and whose name is included on the list provided by the board under s. 7.08 (10).

**SECTION 2.** 7.08 (10) of the statutes is amended to read:

7.08 (10) DOMESTIC ABUSE AND SEXUAL ASSAULT SERVICE PROVIDERS. Provide to each municipal clerk, on a continuous basis, the names and addresses of organizations that are certified under s. 46.95 49.165 (4) or 165.93 (4) to provide services to victims of domestic abuse or sexual assault.

**SECTION 3d.** 10.53 (title) of the statutes is amended to read:

10.53 (title) **Revisor Legislative reference bureau to correct listings.**

**SECTION 3h.** 10.53 (1g) of the statutes is amended to read:

10.53 (1g) In preparing each edition of the statutes for publication the revisor legislative reference bureau shall, if the **revisor bureau** finds that a conflict exists
between the listings in ss. 10.62 to 10.82 and the substantive statutes to which those
sections refer, correct the listing in this subchapter to properly reflect the intent of
the substantive statute or of the act of the legislature on which the substantive
statute is based.

Section 3p. 10.53 (1r) of the statutes is amended to read:

10.53 (1r) For any correction made by the revisor legislative reference bureau
under the authority of this section, the revisor bureau shall prepare a note explaining
the correction that shall be printed with the affected listing in this subchapter.

Section 3t. 10.53 (2) and (3) of the statutes are amended to read:

10.53 (2) If the revisor legislative reference bureau makes any correction under
the authority of this section, the revisor bureau shall incorporate the change in a
revisor’s correction bill to be submitted to the legislature at its next regularly
scheduled meeting.

(3) Whenever a new act of the legislature requires a position or person to give
an election notice or to perform a specific action in connection with any election, but
such act fails to create an appropriate paragraph for inclusion within the listings in
this subchapter, the revisor legislative reference bureau shall create and print the
appropriate paragraph in compliance with this section.

Section 3w. 13.094 of the statutes is repealed.

Section 5. 13.101 (6) (a) of the statutes is amended to read:

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

SECTION 5d. 13.101 (18) of the statutes is created to read:

13.101 (18) Notwithstanding sub. (4), the committee may not transfer moneys from the appropriation accounts under s. 20.435 (4) (xc) and (xd) to another appropriation account.

SECTION 7b. 13.172 (1) of the statutes is amended to read:

13.172 (1) In this section, “agency” means an office, department, agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, and any authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, or 234, or 279.
SECTION 9. 13.48 (14) (a) of the statutes is amended to read:

13.48 (14) (a) In this subsection, “agency” has the meaning given for “state agency” in s. 20.001 (1), except that during the period prior to July 1, 2007, and the period beginning on the effective date of this paragraph .... [revisor inserts date], and ending on June 30, 2009, the term does not include the Board of Regents of the University of Wisconsin System.

SECTION 9c. 13.48 (31) (a) of the statutes is amended to read:

13.48 (31) (a) The legislature finds and determines that it is in the public interest to promote the public health and welfare and to provide for economic development in this state by ensuring a fundamental and expanding capacity to conduct biomedical research and to create new technologies; by training students in the substance and methodology of biomedical research; and by providing scientific support to individuals and organizations in this state who are engaged in biomedical research and technological innovation. It is therefore the public policy of this state to assist the Medical College of Wisconsin, Inc., in the construction of and installation of equipment at facilities that will be used for biomedical research and the creation of new technologies.

SECTION 9e. 13.48 (31) (b) of the statutes is amended to read:

13.48 (31) (b) On or after July 1, 2003, the building commission may authorize up to $25,000,000 $35,000,000 of general fund supported borrowing to aid in the construction of and installation of equipment at a biomedical research and technology incubator at the Medical College of Wisconsin, Inc. The state funding commitment for the construction of and installation of equipment at the incubator shall be in the form of a construction grant to the Medical College of Wisconsin, Inc. Before the building commission may award the construction grant under this
paragraph, the Medical College of Wisconsin, Inc., must certify to the building commission that the total funding commitments of the state and nonstate sources will pay for the construction cost of and the cost of installation of equipment at the incubator.

SECTION 9h. 13.48 (31) (c) (intro.) of the statutes is amended to read:

13.48 (31) (c) (intro.) If the building commission awards a construction grant to the Medical College of Wisconsin, Inc., under this subsection, the Medical College of Wisconsin, Inc., shall provide the state with an option to purchase the biomedical research and technology incubator under the following conditions:

SECTION 9n. 13.48 (31) (d) of the statutes is amended to read:

13.48 (31) (d) If the state does not exercise the option to purchase the biomedical research and technology incubator under par. (c), and if the incubator is sold to any 3rd party, any agreement to sell the incubator shall provide that the state has the right to receive an amount equal to the construction grants awarded to the Medical College of Wisconsin, Inc., under this subsection from the net proceeds of any such sale after any mortgage on the incubator has been satisfied and all other secured debts have been paid. This right shall be paramount to the right of the Medical College of Wisconsin, Inc., to the proceeds upon such sale.

SECTION 9nb. 13.48 (32r) of the statutes is repealed.

SECTION 9nd. 13.48 (36) of the statutes is created to read:

13.48 (36) Hmong Cultural Centers. (a) The legislature finds and determines that a significant number of Hmong people are citizens of this state, that the Hmong people have a proud heritage that needs to be recognized and preserved, and that the Hmong people have experienced difficulties assimilating in this state. The legislature finds that supporting the Hmong people in their efforts to recognize their
heritage and to realize the full advantages of citizenship in this state is a statewide responsibility of statewide dimension. Because it will better ensure that the heritage of the Hmong people is preserved and will better enable the Hmong people to realize the full advantages of citizenship in this state, the legislature finds that it will have a direct and immediate effect on a matter of statewide concern for the state to facilitate the purchase or construction and operation of Hmong cultural centers.

(b) 1. The building commission may authorize up to $2,000,000 in general fund supported borrowing to make a grant to an organization designated by the secretary of administration that represents the cultural interests of Hmong people for purchase or construction of a Hmong cultural center in Dane County. Before approving any state funding commitment for the purchase or construction of the center and before awarding the grant, the building commission shall determine that the organization has secured additional funding commitments of at least $2,500,000 from nonstate revenue sources for purchase or construction of the center. Before awarding the grant, the organization shall submit to the building commission and the commission shall review and approve an initial budget and business plan for the operation of the center that is acceptable to the commission. As a condition of receiving the grant, the organization must enter into an agreement with the secretary guaranteeing that the center will be operated to serve the nonsectarian cultural interests of the Hmong people.

2. If, for any reason, the facility that is purchased or constructed with funds from the grant under subd. 1. is not used as a Hmong cultural center in Dane County, or the center is not operated to serve the nonsectarian cultural interests of the Hmong people, the state shall retain an ownership interest in the facility equal to the amount of the state’s grant.
(c) 1. The building commission may authorize up to $250,000 in general fund supported borrowing to make a grant to an organization designated by the secretary of administration that represents the cultural interests of Hmong people for purchase or construction of a Hmong cultural center in La Crosse County. Before awarding the grant, the organization shall submit to the building commission and the commission shall review and approve an initial budget and business plan for the operation of the center that is acceptable to the commission. As a condition of receiving the grant, the organization must enter into an agreement with the secretary guaranteeing that the center will be operated to serve the nonsectarian cultural interests of the Hmong people.

2. If, for any reason, the facility that is purchased or constructed with funds from the grant under subd. 1. is not used as a Hmong cultural center in La Crosse County, or the center is not operated to serve the nonsectarian cultural interests of the Hmong people, the state shall retain an ownership interest in the facility equal to the amount of the state’s grant.

SECTION 9nd. 13.48 (36p) of the statutes is created to read:

13.48 (36p) BOND HEALTH CENTER. (a) The legislature finds and determines that improving the health of the citizens of this state and increasing access to health care in this state is a statewide responsibility of statewide dimension. In addition, the legislature finds and determines that the Bond Health Center in the city of Oconto plays a vital role in improving the health of the citizens of this state and is a quality health care facility. The legislature, therefore, finds and determines that assisting the Bond Health Center in the city of Oconto in expanding a health care facility will have a direct and immediate effect on this state responsibility of statewide dimension.
(b) The building commission may authorize up to $1,000,000 in general fund supported borrowing to make a grant to the Bond Health Center in the city of Oconto for construction costs related to hospital expansion. Before approving any state funding commitment for construction costs relating to the hospital expansion and before awarding the grant, the building commission shall determine that the Bond Health Center has secured all necessary additional funding commitments from nonstate revenue sources for the expansion.

(c) If, for any reason, the facility that is expanded with funds from the grant under par. (b) is not used as a hospital, the state shall retain an ownership interest in the facility equal to the amount of the state’s grant.

SECTION 9nf. 13.48 (38) of the statutes is created to read:

13.48 (38) CIVIL WAR EXHIBIT AT THE KENOSHA PUBLIC MUSEUMS. (a) The legislature finds and determines that the Civil War was an event of unequaled importance in the historical development of the United States; that Wisconsin citizens fought bravely and valiantly in assisting the Union to achieve victory in the Civil War; and that the study of the Civil War will deepen our understanding and appreciation of the history of the United States and of Wisconsin. It is therefore in the public interest, and it is the public policy of this state, to assist the Kenosha Public Museums in the construction of facilities that will be used for a Civil War exhibit.

(b) The building commission may authorize up to $500,000 in general fund supported borrowing to aid in the construction of a Civil War exhibit as part of the Kenosha Public Museums in the city of Kenosha. The state funding commitment shall be in the form of a grant to the Kenosha Public Museums. Before approving any such state funding commitment and before awarding the construction grant, the
building commission shall determine that the Kenosha Public Museums has secured additional funding at least equal to $2,000,000 from nonstate donations for the purpose of constructing a Civil War exhibit.

(c) If the building commission authorizes a grant to the Kenosha Public Museums under par. (b) and if, for any reason, the facility that is constructed with funds from the grant is not used as a Civil War exhibit, the state shall retain an ownership interest in the facility equal to the amount of the state’s grant.

**SECTION 9p.** 13.53 (2) (intro.) of the statutes is amended to read:

13.53 (2) RESPONSIBILITIES. (intro.) The joint legislative audit committee shall have advisory responsibilities for the legislative audit bureau. The committee's responsibility is subject to general supervision of the joint committee on legislative organization. If the joint committee on information policy and technology is not organized, the joint legislative audit committee shall assume the responsibilities assigned to the joint committee on information policy and technology under ss. 13.58 (5) (b) 5. and 6., 16.971 (2) (Lg), 16.973 (10) to (16), and 36.59. The joint legislative audit committee may:

**SECTION 9q.** 13.55 (1) (a) 1. (intro.) of the statutes is amended to read:

13.55 (1) (a) 1. (intro.) There is created a 9-member commission on uniform state laws to advise the legislature with regard to uniform laws and model laws. Except as provided under par. (b), the commission shall consist of all of the following:

**SECTION 9r.** 13.55 (1) (a) 1. c. of the statutes is repealed.

**SECTION 9rg.** 13.58 (5) (b) 5. of the statutes is created to read:

13.58 (5) (b) 5. Review any executive branch information technology project identified in a report submitted to the committee by the department of
administration under s. 16.973 (15) to determine whether the project should be continued or implemented. The committee may forward any recommendations regarding the project to the governor and to the legislature under s. 13.172 (2).

SECTION 9rk. 13.58 (5) (b) 6. of the statutes is created to read:

13.58 (5) (b) 6. Review any University of Wisconsin System, institution, or college campus information technology project identified in a report submitted to the committee by the Board of Regents under s. 36.59 (7) to determine whether the project should be continued or implemented. The committee may forward any recommendations regarding the project to the governor and to the legislature under s. 13.172 (2).

SECTION 10b. 13.62 (2) of the statutes is amended to read:

13.62 (2) “Agency” means any board, commission, department, office, society, institution of higher education, council, or committee in the state government, or any authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 232, 233, 234, or 237, or 279, except that the term does not include a council or committee of the legislature.

SECTION 11. 13.63 (1) (am) of the statutes is amended to read:

13.63 (1) (am) If an individual who applies for a license under this section does not have a social security number, the individual, as a condition of obtaining that license, shall submit a statement made or subscribed under oath or affirmation to the board that the individual does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license issued in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 12. 13.63 (1) (b) of the statutes is amended to read:
13.63 (1) (b) Except as provided under par. (am), the board shall not issue a license to an applicant who does not provide his or her social security number. The board shall not issue a license to an applicant or shall revoke any license issued to a lobbyist if the department of revenue certifies to the board that the applicant or lobbyist is liable for delinquent taxes under s. 73.0301. The board shall refuse to issue a license or shall suspend any existing license for failure of an applicant or licensee to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or failure of an applicant or licensee to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. No application may be disapproved by the board except an application for a license by a person who is ineligible for licensure under this subsection or s. 13.69 (4) or an application by a lobbyist whose license has been revoked under this subsection or s. 13.69 (7) and only for the period of such ineligibility or revocation.

SECTION 13. 13.64 (2) of the statutes is amended to read:

13.64 (2) The registration shall expire on December 31 of each even-numbered year. Except as provided in sub. (2m), the board shall refuse to accept a registration statement filed by an individual who does not provide his or her social security number. The board shall refuse to accept a registration statement filed by an individual or shall suspend any existing registration of an individual for failure of the individual or registrant to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related
to the support of a child or former spouse or failure of the individual or registrant to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceeding, as provided in a memorandum of understanding entered into under s. 49.857. If all lobbying by or on behalf of the principal which is not exempt under s. 13.621 ceases, the board shall terminate the principal's registration and any authorizations under s. 13.65 as of the day after the principal files a statement of cessation and expense statements under s. 13.68 for the period covering all dates on which the principal was registered. Refusal to accept a registration statement or suspension of an existing registration pursuant to a memorandum of understanding under s. 49.857 is not subject to review under ch. 227.

**SECTION 14.** 13.64 (2m) of the statutes is amended to read:

13.64 (2m) If an individual who applies for registration under this section does not have a social security number, the individual, as a condition of obtaining registration, shall submit a statement made or subscribed under oath or affirmation to the board that the individual does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A registration accepted in reliance upon a false statement submitted under this subsection is invalid.

**SECTION 14d.** 13.83 (1) (c) 1. of the statutes is amended to read:

13.83 (1) (c) 1. Consider decisions and opinions referred to it by the revisor of statutes legislative reference bureau under s. 13.93 (2) (d) 13.92 (2) (j) to determine whether revisions are needed in the statutes or session laws.

**SECTION 14h.** 13.83 (1) (c) 2. of the statutes is amended to read:
13.83 (1) (c) 2. Consider bills referred to it by the revisor of statutes legislative reference bureau under s. 13.93 (2) (j) 13.92 (2) (L).

**SECTION 14p.** 13.83 (1) (c) 3. of the statutes is amended to read:

13.83 (1) (c) 3. Consider bills referred to it by the revisor of statutes legislative reference bureau under s. 13.93 (1) and (2) (c) 13.92 (1) (bm) and (2) (i).

**SECTION 14t.** 13.83 (1) (g) 3. of the statutes is amended to read:

13.83 (1) (g) 3. Supply the revisor of statutes legislative reference bureau with the texts of and information relating to the parties to interstate agreements to which this state is a party.

**SECTION 15.** 13.83 (3) (f) (intro.) of the statutes is amended to read:

13.83 (3) (f) (intro.) The special committee shall be assisted by a technical advisory committee composed of 7–8 members representing the following:

**SECTION 16.** 13.83 (3) (f) 2m. of the statutes is created to read:

13.83 (3) (f) 2m. The department of children and families.

**SECTION 17.** 13.83 (4) (a) 9. of the statutes is repealed.

**SECTION 17a.** 13.83 (4) (am) of the statutes is created to read:

13.83 (4) (am) The special committee shall advise the department of children and families regarding the administration of the programs administered by that department.

**SECTION 17be.** 13.90 (1) (intro.) of the statutes is amended to read:

13.90 (1) (intro.) The joint committee on legislative organization shall be the policy-making board for the legislative reference bureau, the revisor of statutes bureau, the legislative fiscal bureau, the legislative audit bureau and the legislative technology services bureau. The committee shall:

**SECTION 17br.** 13.90 (1m) (a) of the statutes is amended to read:
13.90 (1m) (a) In this subsection, “legislative service agency” means the legislative council staff, the legislative audit bureau, the legislative fiscal bureau, the legislative reference bureau, the revisor of statutes bureau and the legislative technology services bureau.

SECTION 17dr. 13.92 (1) (b) 5. of the statutes is amended to read:

13.92 (1) (b) 5. In cooperation with the revisor of statutes, prepare a biennial list of numerical cross-references in the statutes to other parts of the statutes.

SECTION 17fe. 13.92 (2) (g) of the statutes is repealed.

SECTION 17fh. 13.92 (3) of the statutes is renumbered 13.92 (3) (a).

SECTION 17fm. 13.92 (3) (b) of the statutes is created to read:

13.92 (3) (b) Notwithstanding s. 230.08 (2) (fc), those employees holding positions in the classified service at the revisor of statutes bureau on the effective date of this paragraph .... [revisor inserts date], who have achieved permanent status in class before that date, if they become employed by the legislative reference bureau under 2007 Wisconsin Act .... (this act), section 9130 (1f) (d) 1. or 2., shall retain, while serving in the unclassified service at the legislative reference bureau, those protections afforded employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff, or reduction in base pay. Each such employee shall also have reinstatement privileges to the classified service as provided under s. 230.31 (1) and any other reinstatement privileges or restoration rights provided under an applicable collective bargaining agreement under subch. V of ch. 111 covering the employee on the effective date of this paragraph .... [revisor inserts date].

SECTION 17fr. 13.93 (intro.) of the statutes is repealed.
**SECTION 17he.** 13.93 (1) of the statutes is renumbered 13.92 (1) (bm), and 13.92 (1) (bm) (intro.), 2. and 13. (intro.), as renumbered, are amended to read:

13.92 (1) (bm) **Duties of the bureau** **Revision of statutes.** (intro.) The revisor of statutes legislative reference bureau shall prepare copy for the biennial Wisconsin statutes, and for this purpose it:

2. May renumber any chapter or section of the statutes for the purpose of revision, and shall change reference numbers to agree with any renumbered chapter or section. Where the term “preceding section” or similar expressions are used in the statutes the revisor of statutes bureau may change the same by inserting the proper section or chapter reference.

13. (intro.) Shall, whenever any statute is affected by any act of the legislature, and may, at the revisor’s bureau’s discretion, ensure that the statutory language does not discriminate on the basis of sex by making the following corrections, which shall have no substantive effect:

**SECTION 17hr.** 13.93 (1m) of the statutes is repealed.

**SECTION 17je.** 13.93 (2) (intro.) of the statutes is repealed.

**SECTION 17jr.** 13.93 (2) (a) of the statutes is repealed.

**SECTION 17Le.** 13.93 (2) (b) of the statutes is repealed.

**SECTION 17Lr.** 13.93 (2) (c) of the statutes is renumbered 13.92 (2) (i) and amended to read:

13.92 (2) (i) Serve as editor of the biennial Wisconsin statutes. In preparing each edition, if 2 or more acts of a legislative session affect the same statutory unit without taking cognizance of the effect thereon of the other acts and if the revisor chief finds that there is no mutual inconsistency in the changes made by each such act, the revisor chief shall incorporate the changes made by each act into the text of
the statutory unit and document the incorporation in a note to the section. For each such incorporation, the revisor chief shall include in a correction bill a provision formally validating the incorporation. Section 990.07 is not affected by printing decisions made by the revisor chief under this paragraph.

**SECTION 17ne.** 13.93 (2) (d) of the statutes is renumbered 13.92 (2) (j).

**SECTION 17nr.** 13.93 (2) (e) of the statutes is renumbered 13.92 (2) (jm) and amended to read:

13.92 (2) (jm) Attend all scheduled meetings and serve as the nonvoting secretary of the committee for review of administrative rules under s. 13.56. The chief of the legislative reference bureau may designate an employee to perform the duties under this paragraph.

**SECTION 17pe.** 13.93 (2) (f) of the statutes is repealed.

**SECTION 17pr.** 13.93 (2) (g) of the statutes is repealed.

**SECTION 17re.** 13.93 (2) (h) of the statutes is renumbered 13.92 (2) (k).

**SECTION 17rr.** 13.93 (2) (i) of the statutes is repealed.

**SECTION 17te.** 13.93 (2) (j) of the statutes is renumbered 13.92 (2) (L) and amended to read:

13.92 (2) (L) In cooperation with the law revision committee, systematically examine and identify for revision by the legislature the statutes and session laws to eliminate defects, anachronisms, conflicts, ambiguities, and unconstitutional or obsolete provisions. The revisor chief shall prepare and, at each session of the legislature, present to the law revision committee bills that eliminate identified defects, anachronisms, conflicts, ambiguities, and unconstitutional or obsolete provisions. These bills may include minor substantive changes in the statutes and session laws necessary to accomplish the purposes of this paragraph. The revisor
chief may resubmit to the law revision committee in subsequent sessions of the legislature any bill prepared under this paragraph that was not enacted.

**Section 17tr.** 13.93 (2) (k) of the statutes is repealed.

**Section 17ve.** 13.93 (2m) of the statutes is renumbered 13.92 (4), and 13.92 (4) (title), (a), (b) (intro.), (c), (d), (e) and (f), as renumbered, are amended to read:

> 13.92 (4) (title) **DUTIES OF REVISOR AND BUREAU; WISCONSIN ADMINISTRATIVE CODE.**

(a) The revisor of statutes bureau legislative reference bureau shall prepare copy for publication in the Wisconsin administrative code.

(b) (intro.) The revisor of statutes bureau legislative reference bureau may do any of the following:

(c) The revisor of statutes bureau legislative reference bureau may insert in the Wisconsin administrative code a note explaining any change made under par. (b).

(d) Sections 227.114, 227.116, 227.135 and 227.14 to 227.24 do not apply to any change made by the revisor of statutes bureau legislative reference bureau under par. (b).

(e) The revisor of statutes bureau legislative reference bureau shall prepare and keep on file a record of each change made under par. (b).

(f) The revisor of statutes bureau legislative reference bureau shall notify the agency involved of each change made under par. (b).

**Section 17vr.** 13.93 (3) (intro.) of the statutes is renumbered 13.92 (2m) (intro.) and amended to read:

> 13.92 (2m) **PRINTING COSTS.** (intro.) Payments for the following costs shall be administered by the revisor of statutes legislative reference bureau:

**Section 17we.** 13.93 (3) (a) of the statutes is renumbered 13.92 (2m) (a).

**Section 17wr.** 13.93 (3) (b) of the statutes is renumbered 13.92 (2m) (b).
SECTION 17xe. 13.93 (3) (c) of the statutes is renumbered 13.92 (2m) (c).

SECTION 17xr. 13.93 (3) (d) of the statutes is renumbered 13.92 (2m) (d).

SECTION 18. 13.94 (4) (a) 1. of the statutes is amended to read:

13.94 (4) (a) 1. Every state department, board, examining board, affiliated credentialing board, commission, independent agency, council or office in the executive branch of state government; all bodies created by the legislature in the legislative or judicial branch of state government; any public body corporate and politic created by the legislature including specifically the Fox River Navigational System Authority, the Lower Fox River Remediation Authority, and the Wisconsin Aerospace Authority, a professional baseball park district, a local professional football stadium district, a local cultural arts district and a family long-term care district under s. 46.2895; every Wisconsin works agency under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch. 49; technical college district boards; development zones designated under s. 560.71; every county department under s. 51.42 or 51.437; every nonprofit corporation or cooperative or unincorporated cooperative association to which moneys are specifically appropriated by state law; and every corporation, institution, association or other organization which receives more than 50% of its annual budget from appropriations made by state law, including subgrantee or subcontractor recipients of such funds.

SECTION 19. 13.94 (4) (b) of the statutes is amended to read:

13.94 (4) (b) In performing audits of family long-term care districts under s. 46.2895, Wisconsin works agencies under subch. III of ch. 49, providers of medical assistance under subch. IV of ch. 49, corporations, institutions, associations, or other organizations, and their subgrantees or subcontractors, the legislative audit bureau shall audit only the records and operations of such providers and organizations
which pertain to the receipt, disbursement or other handling of appropriations made
by state law.

SECTION 20b. 13.95 (intro.) of the statutes is amended to read:

13.95 Legislative fiscal bureau.  (intro.) There is created a bureau to be
known as the “Legislative Fiscal Bureau” headed by a director. The fiscal bureau
shall be strictly nonpartisan and shall at all times observe the confidential nature
of the research requests received by it; however, with the prior approval of the
requester in each instance, the bureau may duplicate the results of its research for
distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director’s
designated employees shall at all times, with or without notice, have access to all
state agencies, the University of Wisconsin Hospitals and Clinics Authority, the
Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority,
the Lower Fox River Remediation Authority, and the Fox River Navigational System
Authority, and to any books, records, or other documents maintained by such
agencies or authorities and relating to their expenditures, revenues, operations, and
structure.

SECTION 21. 14.18 of the statutes is amended to read:

14.18 Assistance from department of workforce development children
and families. The governor may enter into a cooperative arrangement with the
department of workforce development children and families under which the
department assists the governor in providing temporary assistance for needy
families under 42 USC 601 et. seq.

SECTION 22. 14.83 of the statutes is amended to read:

14.83 Interstate insurance receivership commission. There is created an
interstate insurance receivership commission as specified in s. 601.59 (3). The
member of the commission representing this state shall be the commissioner of insurance or his or her designated representative. The commission member shall serve without compensation but shall be reimbursed from the appropriation under s. 20.145 (1) (g) 1. for actual and necessary expenses incurred in the performance of his or her duties. The commission has the powers and duties granted and imposed under s. 601.59.

**SECTION 23.** 14.90 (3) of the statutes is repealed.

**SECTION 24.** 15.01 (2) of the statutes is amended to read:

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

**SECTION 25.** 15.01 (6) of the statutes is amended to read:

15.01 (6) “Division,” “bureau,” “section” and “unit” means the subunits of a department or an independent agency, whether specifically created by law or created by the head of the department or the independent agency for the more economic and efficient administration and operation of the programs assigned to the department or independent agency. The office of justice assistance in the department of
administration, the office of energy independence in the department of
administration, the office of the Wisconsin Covenant Scholars Program in the
department of administration, and the office of credit unions in the department of
financial institutions have the meaning of “division” under this subsection. The
office of the long-term care ombudsman under the board on aging and long-term
care and the office of educational accountability in the department of public
instruction have the meaning of “bureau” under this subsection.

SECTION 26. 15.02 (3) (c) 1. of the statutes is amended to read:

15.02 (3) (c) 1. The principal subunit of the department is the “division”. Each
division shall be headed by an “administrator”. The office of justice assistance in the
department of administration, the office of the Wisconsin Covenant Scholars
Program in the department of administration, and the office of credit unions in the
department of financial institutions have the meaning of “division” and the executive
staff director of the office of justice assistance in the department of administration,
the director of the office of the Wisconsin Covenant Scholars Program in the
department of administration, and the director of credit unions have the meaning of
“administrator” under this subdivision.

SECTION 28. 15.06 (6) of the statutes is amended to read:

15.06 (6) QUORUM. A majority of the membership of a commission constitutes
a quorum to do business, except that vacancies shall not prevent a commission from
doing business. This subsection does not apply to the parole earned release review
commission.

SECTION 28e. 15.07 (1) (a) 5m. of the statutes is created to read:

15.07 (1) (a) 5m. Members of the University of Wisconsin Hospitals and Clinics
Board appointed under s. 15.96 (1) (ag) shall be appointed as provided in that section.
SECTION 28m. 15.07 (1) (a) 6. of the statutes is amended to read:

15.07 (1) (a) 6. Members of the University of Wisconsin Hospitals and Clinics Board appointed under s. 15.96 (8) (1) (h) shall be appointed by the governor without senate confirmation.

SECTION 30. 15.07 (2) (n) of the statutes is created to read:

15.07 (2) (n) The member appointed under s. 15.345 (6) (a) shall serve as chairperson of the managed forest land board.

SECTION 30c. 15.07 (4) of the statutes is amended to read:

15.07 (4) QUORUM. A majority of the membership of a board constitutes a quorum to do business and, unless a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board. This subsection does not apply to actions of the University of Wisconsin Hospitals and Clinics Board, the ethics board, or the school district boundary appeal board as provided in ss. 15.96 (2), 19.47 (4) and 117.05 (2) (a).

SECTION 30g. 15.07 (4) of the statutes, as affected by 2007 Wisconsin Act 1 and 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

15.07 (4) QUORUM. A majority of the membership of a board constitutes a quorum to do business and, unless a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board. This subsection does not apply to actions of the government accountability board, the University of Wisconsin Hospitals and Clinics Board, or the school district boundary appeal board as provided in ss. 5.05 (1e), 15.96 (2), and 117.05 (2) (a).

SECTION 35. 15.105 (27) of the statutes is repealed.

SECTION 35m. 15.105 (30) of the statutes is created to read:
15.105 (30) **Office of Energy Independence.** There is created an office of energy independence in the department of administration. The office shall be headed by an executive director and shall have staff sufficient to carry out the duties under s. 16.956.

**Section 35p.** 15.105 (31) of the statutes is created to read:

15.105 (31) **Office of the Wisconsin Covenant Scholars Program.** There is created an office of the Wisconsin Covenant Scholars Program in the department of administration. The director of the office shall be appointed by the secretary of administration.

**Section 37.** 15.145 (1) of the statutes is amended to read:

15.145 (1) **Parole Earned Release Review Commission.** There is created in the department of corrections a parole earned release review commission consisting of 8 members. Members shall have knowledge of or experience in corrections or criminal justice. The members shall include a chairperson who is nominated by the governor, and with the advice and consent of the senate appointed, for a 2-year term expiring March 1 of the odd-numbered years, subject to removal under s. 17.07 (3m), and the remaining members in the classified service appointed by the chairperson.

**Section 37e.** 15.155 (1) (a) 6. of the statutes is amended to read:

15.155 (1) (a) 6. Six other members appointed nominated by the governor, and with the advice and consent of the senate appointed, for 2-year terms.

**Section 37f.** 15.155 (1) (a) 7. of the statutes is created to read:

15.155 (1) (a) 7. One member appointed by the speaker of the assembly.

**Section 37g.** 15.155 (1) (a) 8. of the statutes is created to read:

15.155 (1) (a) 8. One member appointed by the senate majority leader.

**Section 38.** 15.155 (5) of the statutes is amended to read:
15.155 (5) SMALL BUSINESS REGULATORY REVIEW BOARD. There is created a small business regulatory review board, attached to the department of commerce under s. 15.03. The board shall consist of a representative of the department of administration; a representative of the department of agriculture, trade and consumer protection; a representative of the department of children and families; a representative of the department of commerce; a representative of the department of health and family services; a representative of the department of natural resources; a representative of the department of regulation and licensing; a representative of the department of revenue; a representative of the department of workforce development; 6 representatives of small businesses, as defined in s. 227.114 (1), who shall be appointed for 3-year terms; and the chairpersons of one senate and one assembly committee concerned with small businesses, appointed as are members of standing committees. The representatives of the departments shall be selected by the secretary of that department.

SECTION 39. 15.195 (4) (intro.) of the statutes is renumbered 15.205 (4) (intro.) and amended to read:

15.205 (4) CHILD ABUSE AND NEGLECT PREVENTION BOARD. (intro.) There is created a child abuse and neglect prevention board which is attached to the department of health and family services under s. 15.03. The board shall consist of 20 members as follows:

SECTION 40. 15.195 (4) (a) of the statutes is renumbered 15.205 (4) (a).

SECTION 41. 15.195 (4) (b) of the statutes is renumbered 15.205 (4) (b).

SECTION 42. 15.195 (4) (c) of the statutes is renumbered 15.205 (4) (c).

SECTION 43. 15.195 (4) (d) of the statutes is renumbered 15.205 (4) (d).

SECTION 44. 15.195 (4) (dg) of the statutes is renumbered 15.205 (4) (dg).
SECTION 45. 15.195 (4) (dr) of the statutes is renumbered 15.205 (4) (dr) and amended to read:

15.205 (4) (dr) The secretary of workforce development children and families or his or her designee.

SECTION 46. 15.195 (4) (e) of the statutes is renumbered 15.205 (4) (e).

SECTION 47. 15.195 (4) (em) of the statutes is renumbered 15.205 (4) (em).

SECTION 48. 15.195 (4) (f) of the statutes is renumbered 15.205 (4) (f).

SECTION 49. 15.195 (4) (fm) of the statutes is renumbered 15.205 (4) (fm).

SECTION 50. 15.195 (4) (g) of the statutes is renumbered 15.205 (4) (g).

SECTION 52b. 15.197 (11n) of the statutes is renumbered 15.105 (8), and 15.105 (8) (title), (ag), (am) (intro.), (bm) and (cm) 1., as renumbered, are amended to read:

15.105 (8) (title) Council on Board for people with developmental disabilities. (ag) There is created a council on board for people with developmental disabilities, attached to the department of health and family services administration under s. 15.03.

(am) (intro.) Subject to par. (cm), the council board shall consist of the following state residents, appointed for staggered 4-year terms, who shall be representative of all geographic areas of the state and reflect the state's diversity with respect to race and ethnicity:

(bm) A member specified in par. (am) 1. or 3. shall recuse himself or herself from any discussion by the council board of grants or contracts for which the member's department, agency, program, or group is a grantee, contractor, or applicant and may not vote on a matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest.
(cm) 1. At least 60% of the membership of the council board shall be individuals specified under par. (am) 2. who are not managing employees, as defined under 42 USC 1320a–5 (b), of an entity, or employees of a state agency, that receives federal funds for the developmentally disabled or uses the funds to provide services to persons with developmental disabilities. Of those individuals, one–third shall be individuals specified under par. (am) 2. a., one–third shall be individuals specified under par. (am) 2. b. or c., and one–third shall be individuals specified under par. (am) 2. a., b., or c.

SECTION 53. 15.197 (16) of the statutes is renumbered 15.207 (16) and amended to read:

15.207 (16) COUNCIL ON DOMESTIC ABUSE. There is created in the department of health and family services children and families a council on domestic abuse. The council shall consist of 13 members appointed for staggered 3–year terms. Of those 13 members, 9 shall be nominated by the governor and appointed with the advice and consent of the senate, and one each shall be designated by the speaker of the assembly, the senate majority leader and the minority leader in each house of the legislature and appointed by the governor. Persons appointed shall have a recognized interest in and knowledge of the problems and treatment of victims of domestic abuse.

SECTION 54. 15.197 (24) (a) (intro.) of the statutes is renumbered 15.207 (24) (a) (intro.) and amended to read:

15.207 (24) (a) (intro.) There is created a Milwaukee child welfare partnership council, attached to the department of health and family services children and families under s. 15.03. The council shall consist of the following members:

SECTION 55. 15.197 (24) (a) 1. of the statutes is renumbered 15.207 (24) (a) 1.
SECTION 56. 15.197 (24) (a) 2. of the statutes is renumbered 15.207 (24) (a) 2.

SECTION 57. 15.197 (24) (a) 3. of the statutes is renumbered 15.207 (24) (a) 3.

SECTION 58. 15.197 (24) (a) 4. of the statutes is renumbered 15.207 (24) (a) 4.

SECTION 59. 15.197 (24) (a) 5. of the statutes is renumbered 15.207 (24) (a) 5.

SECTION 60. 15.197 (24) (a) 6. of the statutes is renumbered 15.207 (24) (a) 6.

SECTION 61. 15.197 (24) (a) 7. of the statutes is renumbered 15.207 (24) (a) 7.

SECTION 62. 15.197 (24) (b) of the statutes is renumbered 15.207 (24) (b).

SECTION 63. 15.197 (24) (c) of the statutes is renumbered 15.207 (24) (c).

SECTION 64. 15.197 (24) (d) of the statutes is renumbered 15.207 (24) (d) and amended to read:

15.207 (24) (d) If the department of workforce development children and families establishes more than one geographical area in Milwaukee County under s. 49.143 (6), the children’s services networks established in Milwaukee County under s. 49.143 (2) (b), in nominating members under par. (a) 7., shall nominate residents of different geographical areas established under s. 49.143 (6) and, when the term of a member appointed under par. (a) 7. ends or if a vacancy occurs in the membership of the council under par. (a) 7., those children’s services networks shall nominate a resident of a different geographical area established under s. 49.143 (6) from the geographical area of the member who is being replaced according to a rotating order of succession determined by the children’s services networks.

SECTION 65. 15.20 of the statutes is created to read:

15.20 Department of children and families; creation. There is created a department of children and families under the direction and supervision of the secretary of children and families.

SECTION 66. 15.205 (title) of the statutes is created to read:
15.205 (title) Same; attached boards.

SECTION 67. 15.207 (title) of the statutes is created to read:

15.207 (title) Same; councils.

SECTION 68. 15.345 (6) of the statutes is created to read:

15.345 (6) MANAGED FOREST LAND BOARD. There is created in the department of natural resources a managed forest land board consisting of the chief state forester or his or her designee and the following members appointed for 3-year terms:

(a) One member appointed from a list of 5 nominees submitted by the Wisconsin Counties Association.

(b) One member appointed from a list of 5 nominees submitted by the Wisconsin Towns Association.

(c) One member appointed from a list of 5 nominees submitted by an association that represents the interests of counties that have county forests within their boundaries.

(d) One member appointed from a list of 5 nominees submitted by the council on forestry.

SECTION 68k. 15.96 (title) of the statutes is amended to read:

15.96 (title) University of Wisconsin Hospitals and Clinics Board; creation.

SECTION 68L. 15.96 of the statutes is renumbered 15.96 (1), and 15.96 (1) (a) and (am), as renumbered, are amended to read.

15.96 (1) (a) Three members nominated by the governor, and with the advice and consent of the senate appointed, for 3-year 5-year terms.

(am) Each cochairperson of the joint committee on finance or a member of the committee legislature designated by that cochairperson.
SECTION 68m. 15.96 (1) (ag) of the statutes is created to read:

15.96 (1) (ag) Three members nominated by the board and appointed by the governor, with the advice and consent of the senate, for 5-year terms.

SECTION 68n. 15.96 (2) of the statutes is created to read:

15.96 (2) Eight voting members of the University of Wisconsin Hospitals and Clinics Board constitute a quorum for the purpose of conducting the business and exercising the powers of the board, notwithstanding the existence of a vacancy.

SECTION 69b. 16.002 (2) of the statutes is amended to read:

16.002 (2) “Departments” means constitutional offices, departments, and independent agencies and includes all societies, associations, and other agencies of state government for which appropriations are made by law, but not including authorities created in subch. II of ch. 114 or subch. III of ch. 149 and in chs. 231, 232, 233, 234, 235, and 237, and 279.

SECTION 70b. 16.004 (4) of the statutes is amended to read:

16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the department as the secretary designates may enter into the offices of state agencies and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under chs. 231, 233, 234, and 237, and 279, and may examine their books and accounts and any other matter that in the secretary's judgment should be examined and may interrogate the agency's employees publicly or privately relative thereto.

SECTION 71b. 16.004 (5) of the statutes is amended to read:

16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under chs. 231, 233, 234, and 237, and 279, and their officers and employees, shall cooperate
with the secretary and shall comply with every request of the secretary relating to
his or her functions.

**SECTION 71p.** 16.004 (12) (a) of the statutes is amended to read:

16.004 (12) (a) In this subsection, “state agency” means an association,
authority, board, department, commission, independent agency, institution, office,
society, or other body in state government created or authorized to be created by the
constitution or any law, including the legislature, the office of the governor, and the
courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,
the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan
Authority, the Lower Fox River Remediation Authority, and the Fox River
Navigational System Authority.

**SECTION 74.** 16.009 (2) (p) (intro.) of the statutes is amended to read:

16.009 (2) (p) (intro.) **Contract** Employ staff within the classified service or
contract with one or more organizations to provide advocacy services to potential or
actual recipients of the family care benefit, as defined in s. 46.2805 (4), or their
families or guardians. The board and contract organizations under this paragraph
shall assist these persons in protecting their rights under all applicable federal
statutes and regulations and state statutes and rules. An organization with which
the board contracts for these services may not be a provider, nor an affiliate of a
provider, of long-term care services, a resource center under s. 46.283 or a care
management organization under s. 46.284. For potential or actual recipients of the
family care benefit, advocacy services required under this paragraph shall include
all of the following:

**SECTION 76b.** 16.045 (1) (a) of the statutes is amended to read:
16.045 (1) (a) “Agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 232, 233, 234, 235, or 237, or 279.

SECTION 76m. 16.15 (1) (ab) of the statutes is amended to read:

16.15 (1) (ab) “Authority” has the meaning given under s. 16.70 (2), but excludes the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox River Remediation Authority, and the Health Insurance Risk-Sharing Plan Authority.

SECTION 76r. 16.19 of the statutes is created to read:

16.19 Civil legal services for the indigent. Annually, the department shall pay the amount appropriated under s. 20.505 (1) (e) to the Wisconsin Trust Account Foundation, Inc., to provide civil legal services to indigent persons. The Wisconsin Trust Account Foundation, Inc., shall distribute the amount received as grants to programs that provide civil legal services to indigent persons, and those programs may use the grant funds to match other federal and private grants. The grants may be used only for the purposes for which the funding was provided.

SECTION 77. 16.22 (4) of the statutes is created to read:

16.22 (4) State funding. The department shall annually determine the amount of funding for administrative support of the board that is required for this state to qualify for federal financial assistance to be provided to the board. The department shall apportion that amount equally among the departments of administration, health and family services, public instruction, and workforce
development and shall assess those entities for the necessary funding. The department shall credit the moneys received to the appropriation account under s. 20.505 (4) (kb).

**SECTION 77.** 16.257 of the statutes is created to read:

**16.257 Postsecondary education promotion.** For the purpose of promoting attendance at nonprofit postsecondary institutions in this state, the department shall do all of the following:

(1) Serve as the state’s liaison agency between the higher educational aids board, the department of public instruction, the University of Wisconsin System, the technical college system, and other public and private organizations that are interested in promoting postsecondary education in this state.

(2) (a) Contract with The Wisconsin Covenant Foundation, Inc., if the secretary determines it appropriate, to pay The Wisconsin Covenant Foundation, Inc., an amount not to exceed the amount appropriated under s. 20.505 (4) (bm), to establish and implement a campaign to promote attendance at nonprofit postsecondary educational institutions in this state. Funds may be expended to carry out the contract only as provided in pars. (b) and (c).

(b) No funds appropriated under s. 20.505 (4) (bm) may be expended until the The Wisconsin Covenant Foundation, Inc., submits to the secretary a report setting forth the amount of private contributions received by The Wisconsin Covenant Foundation, Inc., since the date on which The Wisconsin Covenant Foundation, Inc., last submitted a report under this paragraph. After receiving the report, the secretary may approve the expenditure of funds up to the amount set forth in the report. Total funds expended in any fiscal year may not exceed the amounts in the schedule under s. 20.505 (4) (bm).
(c) The Wisconsin Covenant Foundation, Inc., shall expend funds appropriated under s. 20.505 (4) (bm) in adherence with the uniform travel schedule amounts approved under s. 20.916 (8). The Wisconsin Covenant Foundation, Inc., may not expend funds appropriated under s. 20.505 (4) (bm) on entertainment, foreign travel, payments to persons not providing goods or services to The Wisconsin Covenant Foundation, Inc., or for other purposes prohibited by contract between The Wisconsin Covenant Foundation, Inc., and the department.

(3) Coordinate the postsecondary education promotional activities of the department, the persons specified in sub. (1), and The Wisconsin Covenant Foundation, Inc., and prevent duplication of effort in conducting those activities.

(5) On or before July 1, 2009, and every July 1 thereafter, submit to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), a report on the postsecondary education promotional activities conducted by The Wisconsin Covenant Foundation, Inc., using funds provided under s. 20.505 (4) (bm).

**SECTION 79m.** 16.40 (24) of the statutes is created to read:

16.40 (24) AIDS FOR CERTAIN LOCAL PURCHASES AND PROJECTS. Provide funding from the appropriation under s. 20.855 (4) (fs) on a one-time basis in the 2007-08 fiscal year for the purposes specified in 2007 Wisconsin Act .... (this act), section 9155 (5a).

**SECTION 79n.** 16.40 (24) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

**SECTION 80b.** 16.41 (4) of the statutes is amended to read:

16.41 (4) In this section, “authority” means a body created under subch. II of ch. 114 or subch. III of ch. 149 or under ch. 231, 233, 234, or 237, or 279.
SECTION 81b. 16.417 (1) (b) of the statutes is amended to read:

16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or ch. 231, 232, 233, 234, 235, or 237, or 279.

SECTION 86b. 16.52 (7) of the statutes is amended to read:

16.52 (7) PETTY CASH ACCOUNT. Petty cash account. With the approval of the secretary, each agency that is authorized to maintain a contingent fund under s. 20.920 may establish a petty cash account from its contingent fund. The procedure for operation and maintenance of petty cash accounts and the character of expenditures therefrom shall be prescribed by the secretary. In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, or 237, or 279.

SECTION 86d. 16.527 (2) (a) of the statutes is renumbered 16.527 (2) (am).

SECTION 86h. 16.527 (2) (ad) of the statutes is created to read:

16.527 (2) (ad) “Aggregate expected debt service and net exchange payments” means the sum of the following:

1. The aggregate net payments expected to be made and received under a specified interest exchange agreement under sub. (4) (e).

2. The aggregate debt service expected to be made on obligations related to that agreement.
3. The aggregate net payments expected to be made and received under all other interest exchange agreements under sub. (4) (e) relating to those obligations that are in force at the time of executing the agreement.

SECTION 87. 16.527 (4) (e) of the statutes is amended to read:

16.527 (4) (e) At Subject to pars. (h) and (i), at the time of, or in anticipation of, contracting for the appropriation obligations and at any time thereafter so long as the appropriation obligations are outstanding, the department may enter into agreements and ancillary arrangements relating to the appropriation obligations, including trust indentures, liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, guaranty agreements, reimbursement agreements, indexing agreements, or interest exchange agreements. Any payments made or received pursuant to any such agreement or ancillary arrangement shall be made from or deposited as provided in the agreement or ancillary arrangement. The determination of the department included in an interest exchange agreement that such agreement relates to an appropriation obligation shall be conclusive.

SECTION 88. 16.527 (4) (h) of the statutes is created to read:

16.527 (4) (h) 1. Subject to subd. 2., the terms and conditions of an interest exchange agreement under par. (e) shall not be structured so that, as of the trade date of the agreement, both of the following are reasonably expected to occur:

   a. The aggregate expected debt service and net exchange payments relating to the agreement during the fiscal year in which the trade date occurs will be less than the aggregate expected debt service and net exchange payments relating to the agreement that would be payable during that fiscal year if the agreement is not executed.
b. The aggregate expected debt service and net exchange payments relating to
the agreement in subsequent fiscal years will be greater than the aggregate expected
debt service and net exchange payments relating to the agreement that would be
payable in those fiscal years if the agreement is not executed.

2. Subd. 1. shall not apply if either of the follow occurs:

a. The department receives a determination by the independent financial
consulting firm that the terms and conditions of the agreement reflect payments by
the state that represent on-market rates as of the trade date for the particular type
of agreement.

b. The department provides written notice to the joint committee on finance of
its intention to enter into an agreement that is reasonably expected to satisfy subd.
1., and the joint committee on finance either approves or disapproves, in writing, the
department’s entering into the agreement within 14 days of receiving the written
notice from the commission.

3. This paragraph shall not limit the liability of the state under an agreement
if actual contracted net exchange payments in any fiscal year exceed original
expectations.

SECTION 88d. 16.527 (4) (i) of the statutes is created to read:

16.527 (4) (i) With respect to any interest exchange agreement or agreements
specified in par. (e), all of the following shall apply:

1. The department shall contract with an independent financial consulting
firm to determine if the terms and conditions of the agreement reflect a fair market
value, as of the proposed date of the execution of the agreement.

2. The interest exchange agreement must identify by maturity, bond issue, or
bond purpose the obligation to which the agreement is related. The determination
of the department included in an interest exchange agreement that such agreement relates to an obligation shall be conclusive.

3. The resolution authorizing the department to enter into any interest exchange agreement shall require that the terms and conditions of the agreement reflect a fair market value as of the date of execution of the agreement, as reflected by the determination of the independent financial consulting firm under subd. 1., and shall establish guidelines for any such agreement, including the following:

   a. The conditions under which the department may enter into the agreements.
   b. The form and content of the agreements.
   c. The aspects of risk exposure associated with the agreements.
   d. The standards and procedures for counterparty selection.
   e. The standards for the procurement of, and the setting aside of reserves, if any, in connection with, the agreements.
   f. The provisions, if any, for collateralization or other requirements for securing any counterparty’s obligations under the agreements.
   g. A system for financial monitoring and periodic assessment of the agreements.

**SECTION 88h.** 16.527 (4) (j) of the statutes is created to read:

16.527 (4) (j) Semiannually, during any year in which the state is a party to an agreement entered into pursuant to par. (e), the department shall submit a report to the cochairpersons of the joint committee on finance listing all such agreements. The report shall include all of the following:

1. A description of each agreement, including a summary of its terms and conditions, rates, maturity, and the estimated market value of each agreement.
2. An accounting of amounts that were required to be paid and received on each agreement.

3. Any credit enhancement, liquidity facility, or reserves, including an accounting of the costs and expenses incurred by the state.

4. A description of the counterparty to each agreement.

5. A description of the counterparty risk, the termination risk, and other risks associated with each agreement.

**SECTION 89b.** 16.528 (1) (a) of the statutes is amended to read:

16.528 (1) (a) “Agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, or 237, or 279.

**SECTION 90b.** 16.53 (2) of the statutes is amended to read:

16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed invoice, the agency shall notify the sender of the invoice within 10 working days after it receives the invoice of the reason it is improperly completed. In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, or 237, or 279.

**SECTION 91.** 16.53 (10) (a) of the statutes is amended to read:
16.53 (10) (a) If an emergency arises which requires the department to draw
vouchers for payments which will be in excess of available moneys in any state fund,
the secretary, after notifying the joint committee on finance under par. (b), may
prorate and establish priority schedules for all payments within each fund, including
those payments for which a specific payment date is provided by statute, except as
otherwise provided in this paragraph. The secretary shall draw all vouchers
according to the preference provided in this paragraph. All direct or indirect
payments of principal or interest on state bonds and notes issued under subch. I of
ch. 18 and payments due, if any, under an agreement or ancillary arrangement
entered into under s. 18.06 (8) (a) relating to any public debt contracted under
subchs. I and IV of ch. 18 have first priority. All direct or indirect payments of
principal or interest on state notes issued under subch. III of ch. 18 have 2nd priority.
No payment having a 1st or 2nd priority may be prorated or reduced under this
subsection. All state employee payrolls have 3rd priority. The secretary shall draw
all remaining vouchers according to a priority determined by the secretary. The
secretary shall maintain records of all claims prorated under this subsection.

SECTION 92b. 16.54 (9) (a) 1. of the statutes is amended to read:

16.54 (9) (a) 1. “Agency” means an office, department, independent agency,
institution of higher education, association, society or other body in state
government created or authorized to be created by the constitution or any law, which
is entitled to expend moneys appropriated by law, including the legislature and the
courts, but not including an authority created in subch. II of ch. 114 or subch. III of
ch. 149 or in ch. 231, 233, 234, or 237, or 279.

SECTION 95. 16.54 (12) (b) of the statutes is amended to read:
16.54 (12) (b) The department of workforce development children and families may not expend or encumber any moneys received under s. 20.445 credited to the appropriation account under s. 20.437 (2) (mm) or (3) (mm) unless the department of workforce development children and families submits a plan for the expenditure of the moneys to the department of administration and the department of administration approves the plan.

SECTION 98. 16.54 (12) (d) of the statutes is amended to read:

16.54 (12) (d) At the end of each fiscal year, the department of administration shall determine the amount of moneys that remain in the appropriation accounts under ss. 20.435 (8) (mm) and 20.445 20.437 (2) (mm) and (3) (mm) that have not been approved for encumbrance or expenditure by the department pursuant to a plan submitted under par. (a) or (b) and shall require that such moneys be lapsed to the general fund. The department shall notify the cochairpersons of the joint committee on finance, in writing, of the department’s action under this paragraph.

SECTION 100b. 16.70 (2) of the statutes is amended to read:

16.70 (2) “Authority” means a body created under subch. II of ch. 114 or subch. III of ch. 149 or under chs. 231, 232, 233, 234, 235, or 237, or 279.

SECTION 101d. 16.71 (1m) of the statutes is amended to read:

16.71 (1m) The department shall not delegate to any executive branch agency, other than the board of regents of the University of Wisconsin System, the authority to enter into any contract for materials, supplies, equipment, or contractual services relating to information technology or telecommunications prior to review and approval of the contract by the department. No executive branch agency, other than the board of regents of the University of Wisconsin System, may enter into any such contract without review and approval of the contract by the department. Any
executive branch agency that enters into a contract relating to information
technology under this section shall comply with the requirements of s. 16.973 (13).
Any delegation to the board of regents of the University of Wisconsin System is
subject to the limitations prescribed in s. 36.11 (49).

SECTION 101k. 16.72 (2) (e) (intro.) of the statutes is amended to read:

16.72 (2) (e) (intro.) In writing the specifications under this subsection, the
department and any other designated purchasing agent under s. 16.71 (1) shall
incorporate requirements for the purchase of products made from recycled materials
and recovered materials if their use is technically and economically feasible. Each
authority other than the University of Wisconsin Hospitals and Clinics Authority,
the Lower Fox River Remediation Authority, and the Health Insurance
Risk-Sharing Plan Authority, in writing specifications for purchasing by the
authority, shall incorporate requirements for the purchase of products made from
recycled materials and recovered materials if their use is technically and
economically feasible. The specifications shall include requirements for the
purchase of the following materials:

SECTION 101L. 16.72 (2) (f) of the statutes is amended to read:

16.72 (2) (f) In writing specifications under this subsection, the department,
any other designated purchasing agent under s. 16.71 (1), and each authority other
than the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox
River Remediation Authority, and the Health Insurance Risk-Sharing Plan
Authority shall incorporate requirements relating to the recyclability and ultimate
disposition of products and, wherever possible, shall write the specifications so as to
minimize the amount of solid waste generated by the state, consistent with the
priorities established under s. 287.05 (12). All specifications under this subsection
shall discourage the purchase of single-use, disposable products and require, whenever practical, the purchase of multiple-use, durable products.

**SECTION 102.** 16.75 (1) (a) 1. of the statutes, as affected by 2005 Wisconsin Act 141, is amended to read:

16.75 (1) (a) 1. All orders awarded or contracts made by the department for all materials, supplies, equipment, and contractual services to be provided to any agency, except as otherwise provided in par. (c) and subs. (2), (2g), (3m), (3t), (6), (7), (8), (9), (10e), and (10m) and ss. 16.73 (4) (a), 16.751, 16.754, 16.964 (8), 50.05 (7) (f), 153.05 (2m) (a), and 287.15 (7), and 301.265, shall be awarded to the lowest responsible bidder, taking into consideration life cycle cost estimates under sub. (1m), when appropriate, the location of the agency, the quantities of the articles to be supplied, their conformity with the specifications, and the purposes for which they are required and the date of delivery.

**SECTION 102e.** 16.75 (1m) of the statutes is amended to read:

16.75 (1m) The department shall award each order or contract for materials, supplies or equipment on the basis of life cycle cost estimates, whenever such action is appropriate. Each authority other than the University of Wisconsin Hospitals and Clinics Authority and the Lower Fox River Remediation Authority, the Wisconsin Aerospace Authority, and the Health Insurance Risk-Sharing Plan Authority shall award each order or contract for materials, supplies or equipment on the basis of life cycle cost estimates, whenever such action is appropriate. The terms, conditions and evaluation criteria to be applied shall be incorporated in the solicitation of bids or proposals. The life cycle cost formula may include, but is not limited to, the applicable costs of energy efficiency, acquisition and conversion, money, transportation, warehousing and distribution, training, operation and maintenance
and disposition or resale. The department shall prepare documents containing technical guidance for the development and use of life cycle cost estimates, and shall make the documents available to local governmental units.

**SECTION 102e.** 16.75 (6) (bm) of the statutes is amended to read:

16.75 (6) (bm) If the secretary determines that it is in the best interest of this state to do so, he or she may waive any requirement under subs. (1) to (5) and ss. 16.705 and 16.72 (2) (e) and (f) and (5) with respect to any contract entered into by the department of workforce development children and families under s. 49.143, if the department of workforce development children and families presents the secretary with a process for the procurement of contracts under s. 49.143 and the secretary approves the process.

**SECTION 103g.** 16.75 (8) of the statutes is amended to read:

16.75 (8) (a) 1. The department, any other designated purchasing agent under s. 16.71 (1), any agency making purchases under s. 16.74, and each authority other than the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox River Remediation Authority, and the Health Insurance Risk-Sharing Plan Authority shall, to the extent practicable, make purchasing selections using specifications developed under s. 16.72 (2) (e) to maximize the purchase of materials utilizing recycled materials and recovered materials.

2. Each agency and authority other than the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox River Remediation Authority, and the Health Insurance Risk-Sharing Plan Authority shall ensure that the average recycled or recovered content of all paper purchased by the agency or authority measured as a proportion, by weight, of the fiber content of paper products purchased in a fiscal year, is not less than 40% of all purchased paper.
SECTION 103h. 16.75 (9) of the statutes is amended to read:

16.75 (9) The department, any other designated purchasing agent under s. 16.71 (1), any agency making purchases under s. 16.74, and any authority other than the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox River Remediation Authority, and the Health Insurance Risk-Sharing Plan Authority shall, to the extent practicable, make purchasing selections using specifications prepared under s. 16.72 (2) (f).

SECTION 104b. 16.765 (1) of the statutes is amended to read:

16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, and the Bradley Center Sports and Entertainment Corporation shall include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m), or national origin and, except with respect to sexual orientation, obligating the contractor to take affirmative action to ensure equal employment opportunities.

SECTION 105b. 16.765 (2) of the statutes is amended to read:

16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, and the Bradley Center Sports and Entertainment Corporation shall include the following provision in every contract
executed by them: “In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause”.

SECTION 106b. 16.765 (4) of the statutes is amended to read:

16.765 (4) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, and the Bradley Center Sports and Entertainment Corporation shall take appropriate action to revise the standard government contract forms under this section.

SECTION 107b. 16.765 (5) of the statutes is amended to read:

16.765 (5) The head of each contracting agency and the boards of directors of the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, and the Bradley Center Sports and Entertainment Corporation shall be
primarily responsible for obtaining compliance by any contractor with the nondiscrimination and affirmative action provisions prescribed by this section, according to procedures recommended by the department. The department shall make recommendations to the contracting agencies and the boards of directors of the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk–Sharing Plan Authority, the Lower Fox River Remediation Authority, and the Bradley Center Sports and Entertainment Corporation for improving and making more effective the nondiscrimination and affirmative action provisions of contracts. The department shall promulgate such rules as may be necessary for the performance of its functions under this section.

**SECTION 108b.** 16.765 (6) of the statutes is amended to read:

16.765 (6) The department may receive complaints of alleged violations of the nondiscrimination provisions of such contracts. The department shall investigate and determine whether a violation of this section has occurred. The department may delegate this authority to the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk–Sharing Plan Authority, the Lower Fox River Remediation Authority, or the Bradley Center Sports and Entertainment Corporation for processing in accordance with the department’s procedures.

**SECTION 109b.** 16.765 (7) (intro.) of the statutes is amended to read:

16.765 (7) (intro.) When a violation of this section has been determined by the department, the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, or the Bradley Center Sports and Entertainment Corporation, the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, or the Bradley Center Sports and Entertainment Corporation shall:

SECTION 109b. 16.765 (7) (d) of the statutes is amended to read:

16.765 (7) (d) Direct the violating party to take immediate steps to prevent further violations of this section and to report its corrective action to the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, or the Bradley Center Sports and Entertainment Corporation.

SECTION 110b. 16.765 (8) of the statutes is amended to read:

16.765 (8) If further violations of this section are committed during the term of the contract, the contracting agency, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, or the Bradley Center Sports and Entertainment Corporation may permit the violating party to complete the contract, after complying with this section, but thereafter the contracting agency, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, or the Bradley Center Sports and Entertainment Corporation shall request the department to place the name of the party on the ineligible list for state
contracts, or the contracting agency, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation Authority, or the Bradley Center Sports and Entertainment Corporation may terminate the contract without liability for the uncompleted portion or any materials or services purchased or paid for by the contracting party for use in completing the contract.

**SECTION 112g.** 16.847 (2) of the statutes is created to read:

16.847 (2) **ENERGY CONSERVATION CONSTRUCTION PROJECTS.** (a) The department may provide funding to agencies, as defined in s. 16.70 (1e), for energy conservation construction projects at state facilities under the jurisdiction of the agencies to enhance the energy efficiency of the facilities. The department shall prescribe standards for evaluation of proposed projects and allocation of available moneys for those projects under this subsection.

(b) The department shall measure and verify each energy conservation construction project funded under this subsection in accordance with the performance measurement and verification guidelines adopted by the federal Energy Management Program.

(c) The department shall, to the extent feasible, use the procedures under s. 16.858 to carry out energy conservation construction projects funded under this subsection. In any contract entered into by the department under s. 16.858 that is funded under this subsection, the contract shall set forth the minimum savings in energy usage that will be realized by the state from construction of the project and the contractor shall guarantee that the savings will be realized.

**SECTION 112r.** 16.847 (3) of the statutes is created to read:
16.847 (3) ASSESSMENTS. The department may annually assess any agency that receives funding under sub. (2) in an amount determined by the department not exceeding the agency’s proportionate share of debt service costs incurred under s. 20.505 (5) (kd) or the savings in the agency’s energy costs generated, whichever is greater, as a result of an energy conservation construction project that was funded by the department under sub. (2). The department shall credit all revenues received under this subsection to the appropriation account under s. 20.505 (5) (kd).

SECTION 112. 16.848 (2) (gc), (gg), (gn), (gr), (gt) and (gw) of the statutes are created to read:

16.848 (2) (gc) Subsection (1) does not apply to property that is subject to sale by the department of military affairs under s. 21.19 (3) or 21.42 (3).

(gc) Subsection (1) does not apply to property that is conveyed by the department of corrections under s. 301.25.

(gn) Subsection (1) does not apply to property that is subject to sale by the state under 20.909 (2).

(gr) Subsection (1) does not apply to land that is sold or traded by the Kickapoo reserve management board under s. 41.41 (7).

(gt) Subsection (1) does not apply to property that is donated by the department of transportation under s. 84.09 (5r).

(gw) Subsection (1) does not apply to the sale of property by the department of health and family services under s. 51.06 (6).

SECTION 114. 16.848 (4) of the statutes is amended to read:

16.848 (4) Except as provided in s. 13.48 (14) (e), if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold under sub. (1), the department shall deposit a sufficient amount
of the net proceeds from the sale of the property in the bond security and redemption
fund under s. 18.09 to repay the principal and pay the interest on the debt, and any
premium due upon refunding any of the debt. If the property was acquired,
constructed, or improved with federal financial assistance, the department shall pay
to the federal government any of the net proceeds required by federal law. If the
property was acquired by gift or grant or acquired with gift or grant funds, the
department shall adhere to any restriction governing use of the proceeds. Except as
required under sub. (5m) and ss. 13.48 (14) (e), 20.395 (9) (qd), and 51.06 (6), if there
is no such debt outstanding, there are no moneys payable to the federal government,
and there is no restriction governing use of the proceeds, and if the net proceeds
exceed the amount required to be deposited, paid, or used for another purpose under
this subsection, the department shall deposit the net proceeds or remaining net
proceeds in the general fund.

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115b. 16.85 (2) of the statutes is amended to read:

16.85 (2) To furnish engineering, architectural, project management, and other
building construction services whenever requisitions therefor are presented to the
department by any agency. The department may deposit moneys received from the
provision of these services in the account under s. 20.505 (1) (kc) or in the general
fund as general purpose revenue — earned. In this subsection, “agency” means an
office, department, independent agency, institution of higher education, association,
society, or other body in state government created or authorized to be created by the
constitution or any law, which is entitled to expend moneys appropriated by law,
including the legislature and the courts, but not including an authority created in
subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, or 237, or 279.

116b. 16.865 (8) of the statutes is amended to read:
16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a proportionate share of the estimated costs attributable to programs administered by the agency to be paid from the appropriation under s. 20.505 (2) (k). The department may charge premiums to agencies to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections under this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, litigation costs, and the cost of insurance contracts under sub. (5). In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 232, 233, 234, 235, or 237, or 279.

SECTION 117m. 16.956 of the statutes is created to read:

16.956 Office of energy independence. (1) In this section:

(a) “Biodevelopment” means research and development relating to the use of renewable resources for electricity, energy, and heating and transportation fuels.

(b) “Bioindustry” means the manufacture, production, and trade of renewable resources used for electricity, energy, and heating and transportation fuels.

(c) “Office” means the office of energy independence.

(2) The office shall work on initiatives that have the following goals:
(a) Advancing Wisconsin’s vision for energy independence by generating at least 25 percent of power, and at least 25 percent of transportation fuels, used in this state from renewable resources by 2025.

(b) Capturing in-state at least 10 percent of the national emerging bioindustry and renewable energy markets by 2030.

(c) Ensuring that Wisconsin is a national leader in groundbreaking research that will make alternative energies more affordable and create well-paying jobs in this state.

(3) The office shall do all of the following:

(a) Ensure and facilitate the implementation of the initiatives specified in sub. (2) and identify barriers to the implementation of such initiatives.

(b) Serve as a single point of contact to assist businesses, local units of government, and nongovernmental organizations that are pursuing biodevelopment, energy efficiency, and energy independence.

(c) Develop energy independence policy options for consideration by the governor and state agencies.

(d) Identify federal funding opportunities and facilitate applications for federal funding by private, and state and local governmental, entities.

(e) Perform duties necessary to maintain federal energy funding and any designations required for such funding.

SECTION 118. 16.957 (3) of the statutes, as affected by 2005 Wisconsin Act 141, is amended to read:

16.957 (3) The department shall, on the basis of competitive bids, contract with community action agencies described in s. 46.30 49.265 (2) (a) 1., nonstock, nonprofit
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Corporations organized under ch. 181, or local units of government to provide services under the programs established under sub. (2) (a).

Section 123. 16.964 (12) (c) 10. of the statutes is amended to read:

16.964 (12) (c) 10. The program is developed with input from, and implemented in collaboration with, one or more circuit court judges, the district attorney, the state public defender, local law enforcement officials, county agencies responsible for providing social services, including services relating to alcohol and other drug addiction, child welfare, mental health, and the Wisconsin Works program, the departments of corrections, children and families, and health and family services, private social services agencies, and substance abuse treatment providers.

Section 124. 16.964 (12) (e) 1. of the statutes is amended to read:

16.964 (12) (e) 1. A county that receives a grant under this subsection shall create an oversight committee to advise the county in administering and evaluating its program. Each committee shall consist of a circuit court judge, the district attorney or his or her designee, the state public defender or his or her designee, a local law enforcement official, a representative of the county, a representative of each other county agency responsible for providing social services, including services relating to child welfare, mental health, and the Wisconsin Works program, representatives of the departments of corrections, children and families, and health and family services, a representative from private social services agencies, a representative of substance abuse treatment providers, and other members to be determined by the county.

Section 125g. 16.964 (14) of the statutes is created to read:

16.964 (14) Beginning in fiscal year 2008–09, from the appropriation under s. 20.505 (6) (f), the office shall in each fiscal year provide $20,000 to each of the
following child advocacy centers for education, training, medical advice, and quality
assurance activities:

(a) Care House in Rock County.
(b) Child Protection Center in Milwaukee County.
(c) Safe Harbor in Dane County.
(d) Kenosha Child Advocacy Center in Kenosha County.
(e) Fox Valley Child Advocacy Center in Winnebago County.
(f) Stepping Stones in La Crosse County.
(g) CARE Center in Waukesha County.
(h) Child Advocacy Center of Northeastern Wisconsin in Marathon County.
(i) Chippewa County Child Advocacy Center in Chippewa County.
(j) A child advocacy center in Brown County.
(k) A child advocacy center in Racine County.
(L) A child advocacy center in Walworth County.

**SECTION 128c.** 16.971 (2) (cf) of the statutes is created to read:

16.971 (2) (cf) Implement, operate, maintain, and upgrade an integrated
business information system capable of providing information technology services to
all agencies in the areas of accounting, auditing, payroll and other financial services;
procurement; human resources; and other administrative processes. The
department may provide information technology services under this subsection to
any executive branch agency under s. 16.70 (4). The department may also provide
information technology services to any local governmental unit under this
subsection.

**SECTION 128d.** 16.971 (2) (Lg) of the statutes is created to read:
16.971 (2) (Lg) 1. Develop, in consultation with each executive branch agency, other than the Board of Regents of the University of Wisconsin System, and adopt the following written policies for information technology development projects included in the strategic plan required of each executive branch agency under par. (L) and that either exceed $1,000,000 or that are vital to the functions of the executive branch agency:

a. A standardized reporting format.

b. A requirement that both proposed and ongoing information technology development projects be included.

2. The department shall submit for review by the joint legislative audit committee and for approval by the joint committee on information policy and technology any proposed policies required under subd. 1. and any proposed revisions to the policies.

SECTION 128m. 16.971 (6) of the statutes is amended to read:

16.971 (6) Notwithstanding sub. (2), the revisor of statutes legislative reference bureau shall approve the specifications for preparation and schedule for delivery of computer databases containing the Wisconsin statutes.

SECTION 128t. 16.973 (10) to (14) of the statutes are created to read:

16.973 (10) In consultation with the legislative audit bureau and the joint legislative audit committee, promulgate administrative rules applicable to each executive branch agency, other than the Board of Regents of the University of Wisconsin System, pertaining to large, high-risk information technology projects that shall include:

(a) A definition of and methodology for identifying large, high-risk information technology projects.
(b) Standardized, quantifiable project performance measures for evaluating large, high-risk information technology projects.

(c) Policies and procedures for routine monitoring of large, high-risk information technology projects.

(d) A formal process for modifying information technology project specifications when necessary to address changes in program requirements.

(e) Requirements for reporting changes in estimates of cost or completion date to the department and the joint committee on information policy and technology.

(f) Methods for discontinuing projects or modifying projects that are failing to meet performance measures in such a way to correct the performance problems.

(g) Policies and procedures for the use of master leases under s. 16.76 (4) to finance new large, high-risk information technology system costs and maintain current large, high-risk information technology systems.

(h) A standardized progress point in the execution of large, high-risk information technology projects at which time the estimated costs and date of completion of the project is reported to the department and the joint committee on information policy and technology.

11 Promulgate administrative rules applicable to each executive branch agency, other than the Board of Regents of the University of Wisconsin System, pertaining to the use of commercially available information technology products, which shall include all of the following:

(a) A requirement that each executive branch agency review commercially available information technology products prior to initiating work on a customized information technology development project to determine whether any commercially available product could meet the information technology needs of the agency.
(b) Procedures and criteria to determine when a commercially available information technology product must be used and when an executive branch agency may consider the modification or creation of a customized information technology product.

(c) A requirement that each executive branch agency submit for approval by the department and prior to initiating work on a customized information technology product a justification for the modification or creation by the agency of a customized information technology product.

(12) (a) In this subsection, “master lease” has the meaning given under s. 16.76 (4).

(b) Annually, no later than October 1, submit to the governor and the members of the joint committee on information policy and technology a report documenting the use by each executive branch agency, other than the Board of Regents of the University of Wisconsin System, of master leases to fund information technology projects in the previous fiscal year. The report shall contain all of the following information:

1. The total amount paid under master leases towards information technology projects in the previous fiscal year.

2. The master lease payment amounts approved to be applied to information technology projects in future years.

3. The total amount paid by each executive branch agency on each information technology project for which debt is outstanding, as compared to the total financing amount originally approved for that information technology project.

4. A summary of repayments made towards any master lease in the previous fiscal year.
(13) (a) Except as provided in par. (b), include in each contract with a vendor of information technology that involves a large, high-risk information technology project under sub. (10) or that has a projected cost greater than $1,000,000, and require each executive branch agency authorized under s. 16.71 (1m) to enter into a contract for materials, supplies, equipment, or contractual services relating to information technology to include in each contract with a vendor of information technology that involves a large, high-risk information technology project under sub. (10) or that has a projected cost greater than $1,000,000 a stipulation requiring the vendor to submit to the department for approval any order or amendment that would change the scope of the contract and have the effect of increasing the contract price. The stipulation shall authorize the department to review the original contract and the order or amendment to determine all of the following and, if necessary, to negotiate with the vendor regarding any change to the original contract price:

1. Whether the work proposed in the order or amendment is within the scope of the original contract.

2. Whether the work proposed in the order or amendment is necessary.

(b) The department or an executive branch agency may exclude from a contract described in par. (a) the stipulation required under par. (a) if all of the following conditions are satisfied:

1. Including such a stipulation would negatively impact contract negotiations or significantly reduce the number of bidders on the contract.

2. If the exclusion is sought by an executive branch agency, that agency submits to the department a plain-language explanation of the reasons the stipulation was excluded and the alternative provisions the executive branch agency will include in
the contract to ensure that the contract will be completed on time and within the contract budget.

3. If the exclusion is sought by the department, the department prepares a plain-language explanation of the reasons the stipulation was excluded and the alternative provisions the department will include in the contract to ensure that the contract will be completed on time and within the contract budget.

4. The department submits for approval by the joint committee on information policy and technology any explanation and alternative contract provisions required under subd. 2. or 3. If, within 14 working days after the date that the department submits any explanation and alternative contract provisions required under this subdivision, the joint committee on information policy and technology does not contact the department, the explanation and alternative contract provisions shall be deemed approved.

(14) (a) Require each executive branch agency, other than the Board of Regents of the University of Wisconsin system, that has entered into an open-ended contract for the development of information technology to submit to the department quarterly reports documenting the amount expended on the information technology development project. In this subsection, “open-ended contract” means a contract for information technology that includes one or both of the following:

1. Stipulations that provide that the contract vendor will deliver information technology products or services but that do not specify a maximum payment amount.

2. Stipulations that provide that the contract vendor shall be paid an hourly wage but that do not set a maximum limit on the number of hours required to complete the information technology project.
(b) Compile and annually submit to the joint committee on information technology the reports required under par. (a).

**SECTION 128u.** 16.973 (15) of the statutes is created to read:

16.973 (15) Post on its Internet site and periodically revise as necessary all of the following pertaining to information technology services and projects provided, managed, or supervised by the department:

(a) The total anticipated cost of each information technology service or project.

(b) The total amount that will be assessed by the department for the information technology service or project.

(c) Whether a flat rate or fee-for-service billing method will be utilized by the department for the information technology service or project and the amount that will be assessed to any agency, any authority, any unit of the federal government, any local governmental unit, or any entity in the private sector that receives information technology services or enters into an information technology project with the department using that billing method.

**SECTION 128v.** 16.973 (16) of the statutes is created to read:

16.973 (16) No later than March 1 and September 1 of each year, submit to the joint committee on information policy and technology a report that documents for each executive branch agency information technology project with an actual or projected cost greater than $1,000,000 or that the department of administration has identified as a large, high-risk information technology project under sub. (10) (a) all of the following:

(a) Original and updated project cost projections.

(b) Original and updated completion dates for the project and any stage of the project.
(c) An explanation for any variation between the original and updated costs and completion dates under pars. (a) and (b).

(d) A copy of any contract entered into by the department for the project and not provided in a previous report.

(e) All sources of funding for the project.

(f) The amount of any funding provided for the project through a master lease under s. 16.76 (4).

(g) Information about the status of the project, including any portion of the project that has been completed.

(h) Any other information about the project, or related information technology projects, requested by the joint committee on information policy and technology.

SECTION 128w. 16.974 (2) of the statutes is amended to read:

16.974 (2) Subject to s. 16.972 (2) (b), enter into and enforce an agreement with any agency, any authority, any unit of the federal government, any local governmental unit, or any entity in the private sector to provide services authorized to be provided by the department to that agency, authority, unit, or entity at a cost specified in the agreement. Assessments and charges for information technology projects may not exceed 110 percent of the amount appropriated for the project or the estimated costs of the project, whichever is less.

SECTION 129. 16.997 (6) of the statutes is repealed.

SECTION 130. 17.07 (3m) of the statutes is amended to read:

17.07 (3m) Notwithstanding sub. (3), the parole earned release review commission chairperson may be removed by the governor, at pleasure.

SECTION 131. 17.13 (intro.) of the statutes is amended to read:
17.13 Removal of village, town, town sanitary district, school district, and technical college and family care district officers. (intro.) Officers of towns, town sanitary districts, villages, school districts, and technical college districts and family care districts may be removed as follows:

SECTION 132. 17.13 (4) of the statutes is repealed.

SECTION 133. 17.15 (5) of the statutes is amended to read:

17.15 (5) FAMILY LONG-TERM CARE DISTRICT. Any member of a family long-term care district governing board appointed under s. 46.2895 (3) (a) 2. may be removed by the appointing authority for cause.

SECTION 134. 17.27 (3m) of the statutes is amended to read:

17.27 (3m) FAMILY LONG-TERM CARE DISTRICT BOARD. If a vacancy occurs in the position of any appointed member of a family long-term care district board, the appointing authority shall appoint to serve for the residue of the unexpired term a person who meets the applicable requirements under s. 46.2895 (3) (b).

SECTION 135. 18.01 (1) of the statutes is renumbered 18.01 (1m).

SECTION 136. 18.01 (1e) of the statutes is created to read:

18.01 (1e) “Aggregate expected debt service and net exchange payments” means the sum of the following:

(a) The aggregate net payments expected to be made and received under a specified interest exchange agreement under s. 18.06 (8) (a).

(b) The aggregate debt service expected to be made on bonds related to that agreement.

(c) The aggregate net payments expected to be made and received under all other interest exchange agreements under s. 18.06 (8) (a) relating to those bonds that are in force at the time of executing the agreement.
SECTION 137. 18.01 (4) (intro.) of the statutes is amended to read:

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

SECTION 138. 18.06 (8) (a) of the statutes is renumbered 18.06 (8) (a) (intro.) and amended to read:

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

SECTION 139. 18.06 (8) (a) 1. of the statutes is created to read:

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

SECTION 140. 18.06 (8) (a) 2. of the statutes is created to read:

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

SECTION 141. 18.06 (8) (am) of the statutes is created to read:
18.06 (8) (am) With respect to any interest exchange agreement or agreements specified in par. (a), all of the following shall apply:

1. The commission shall contract with an independent financial consulting firm to determine if the terms and conditions of the agreement reflect a fair market value, as of the proposed date of the execution of the agreement.

2. The interest exchange agreement must identify by maturity, bond issue, or bond purpose the debt or obligation to which the agreement is related. The determination of the commission included in an interest exchange agreement that such agreement relates to a debt or obligation shall be conclusive.

3. The resolution authorizing the commission to enter into any interest exchange agreement shall require that the terms and conditions of the agreement reflect a fair market value as of the date of execution of the agreement, as reflected by the determination of the independent financial consulting firm under subd. 1., and shall establish guidelines for any such agreement, including the following:
   a. The conditions under which the commission may enter into the agreements.
   b. The form and content of the agreements.
   c. The aspects of risk exposure associated with the agreements.
   d. The standards and procedures for counterparty selection.
   e. The standards for the procurement of, and the setting aside of reserves, if any, in connection with, the agreements.
   f. The provisions, if any, for collateralization or other requirements for securing any counterparty's obligations under the agreements.
   g. A system for financial monitoring and periodic assessment of the agreements.

SECTION 142. 18.06 (8) (ar) of the statutes is created to read:
18.06 (8) (ar) 1. Subject to subd. 2., the terms and conditions of an interest exchange agreement under par. (a) shall not be structured so that, as of the trade date of the agreement, both of the following are reasonably expected to occur:

a. The aggregate expected debt service and net exchange payments relating to the agreement during the fiscal year in which the trade date occurs will be less than the aggregate expected debt service and net exchange payments relating to the agreement that would be payable during that fiscal year if the agreement is not executed.

b. The aggregate expected debt service and net exchange payments relating to the agreement in subsequent fiscal years will be greater than the aggregate expected debt service and net exchange payments relating to the agreement that would be payable in those fiscal years if the agreement is not executed.

2. Subd. 1. shall not apply if either of the follow occurs:

a. The commission receives a determination by the independent financial consulting firm under par. (am) 1. that the terms and conditions of the agreement reflect payments by the state that represent on−market rates as of the trade date for the particular type of agreement.

b. The commission provides written notice to the joint committee on finance of its intention to enter into an agreement that is reasonably expected to satisfy subd. 1., and the joint committee on finance either approves or disapproves, in writing, the commission’s entering into the agreement within 14 days of receiving the written notice from the commission.

3. This paragraph shall not limit the liability of the state under an agreement if actual contracted net exchange payments in any fiscal year are less than or exceed original expectations.
SECTION 143. 18.06 (8) (b) of the statutes is amended to read:

18.06 (8) (b) The commission may delegate to other persons the authority and responsibility to take actions necessary and appropriate to implement agreements and ancillary arrangements under par. pars. (a) and (am).

SECTION 144. 18.06 (8) (d) of the statutes is created to read:

18.06 (8) (d) Semiannually, during any year in which the state is a party to an agreement entered into pursuant to par. (a) (intro.), the department of administration shall submit a report to the commission and to the cochairpersons of the joint committee on finance listing all such agreements. The report shall include all of the following:

1. A description of each agreement, including a summary of its terms and conditions, rates, maturity, and the estimated market value of each agreement.

2. An accounting of amounts that were required to be paid and received on each agreement.

3. Any credit enhancement, liquidity facility, or reserves, including an accounting of the costs and expenses incurred by the state.

4. A description of the counterparty to each agreement.

5. A description of the counterparty risk, the termination risk, and other risks associated with each agreement.

SECTION 145. 18.08 (1) (a) of the statutes is renumbered 18.08 (1) (a) (intro.) and amended to read:

18.08 (1) (a) (intro.) All moneys resulting from the contracting of public debt or any payment to be received with respect to any agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt
shall be credited to a separate and distinct fund, established in the state treasury, designated as the capital improvement fund, except that such:

1. Such moneys which represent premium and accrued interest on bonds or notes issued, or are for purposes of funding or refunding bonds pursuant to s. 18.06(5), shall be credited to one or more of the sinking funds of the bond security and redemption fund or to the state building trust fund.

SECTION 146. 18.08 (1) (a) 2. of the statutes is created to read:

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

SECTION 147. 18.08 (2) of the statutes is amended to read:

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

SECTION 148. 18.08 (4) of the statutes is amended to read:

18.08 (4) If at any time it appears that there will not be on hand in the capital improvement fund sufficient moneys for the payment of principal and interest on loans or on notes or for the payment due, if any, under an agreement or ancillary arrangement that has been entered into under s. 18.06 (8) (a) with respect to any
public debt and that has been determined to be payable from the capital improvement fund under s. 18.06 (8) (a) 2., the department of administration shall transfer to such fund, out of the appropriation made pursuant to s. 20.866, a sum sufficient which, together with any available money on hand in such fund, is sufficient to make such payment.

**SECTION 149.** 18.09 (2) of the statutes is amended to read:

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

**SECTION 150m.** 18.52 (1c) of the statutes is created to read:

18.52 (1c) “Aggregate expected debt service and net exchange payments” means the sum of the following:

(a) The aggregate net payments expected to be made and received under a specified interest exchange agreement under s. 18.55 (6) (a).

(b) The aggregate debt service expected to be made on obligations related to that agreement.

(c) The aggregate net payments expected to be made and received under all other interest exchange agreements under s. 18.55 (6) (a) relating to those obligations that are in force at the time of executing the agreement.

**SECTION 151.** 18.55 (6) (a) of the statutes is amended to read:
18.55 (6) (a) At the time of, or in anticipation of, contracting revenue obligations and at any time thereafter while the revenue obligations are outstanding, the commission may enter into agreements and ancillary arrangements relating to the revenue obligations, including trust indentures, liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, guaranty agreements, reimbursement agreements, indexing agreements, or interest exchange agreements. Any payment made or received pursuant to any such agreements or ancillary arrangements shall be made from or deposited into a fund relating to the relevant revenue obligation, as determined by the commission. The determination of the commission included in an interest exchange agreement that such an agreement relates to a revenue obligation shall be conclusive.

SECTION 151c. 18.55 (6) (d) of the statutes is created to read:

18.55 (6) (d) With respect to any interest exchange agreement or agreements specified in par. (a), all of the following shall apply:

1. The commission shall contract with an independent financial consulting firm to determine if the terms and conditions of the agreement reflect a fair market value, as of the proposed date of the execution of the agreement.

2. The interest exchange agreement must identify by maturity, bond issue, or bond purpose the obligation to which the agreement is related. The determination of the commission included in an interest exchange agreement that such agreement relates to an obligation shall be conclusive.

3. The resolution authorizing the commission to enter into any interest exchange agreement shall require that the terms and conditions of the agreement reflect a fair market value as of the date of execution of the agreement, as reflected
by the determination of the independent financial consulting firm under subd. 1.,
and shall establish guidelines for any such agreement, including the following:

a. The conditions under which the commission may enter into the agreements.
b. The form and content of the agreements.
c. The aspects of risk exposure associated with the agreements.
d. The standards and procedures for counterparty selection.
e. The standards for the procurement of, and the setting aside of reserves, if
any, in connection with, the agreements.
f. The provisions, if any, for collateralization or other requirements for securing
any counterparty’s obligations under the agreements.
g. A system for financial monitoring and periodic assessment of the
agreements.

SECTION 151c. 18.55 (6) (e) of the statutes is created to read:

18.55 (6) (e) 1. Subject to subd. 2., the terms and conditions of an interest
exchange agreement under par. (a) shall not be structured so that, as of the trade date
of the agreement, both of the following are reasonably expected to occur:

a. The aggregate expected debt service and net exchange payments relating to
the agreement during the fiscal year in which the trade date occurs will be less than
the aggregate expected debt service and net exchange payments relating to the
agreement that would be payable during that fiscal year if the agreement is not
executed.

b. The aggregate expected debt service and net exchange payments relating to
the agreement in subsequent fiscal years will be greater than the aggregate expected
debt service and net exchange payments relating to the agreement that would be
payable in those fiscal years if the agreement is not executed.
2. Subdivision 1. shall not apply if either of the follow occurs:
   a. The commission receives a determination by the independent financial consulting firm under par. (d) 1. that the terms and conditions of the agreement reflect payments by the state that represent on-market rates as of the trade date for the particular type of agreement.
   b. The commission provides written notice to the joint committee on finance of its intention to enter into an agreement that is reasonably expected to satisfy subd. 1., and the joint committee on finance either approves or disapproves, in writing, the commission’s entering into the agreement within 14 days of receiving the written notice from the commission.
3. This paragraph shall not limit the liability of the state under an agreement if actual contracted net exchange payments in any fiscal year are less than or exceed original expectations.

**SECTION 151p.** 18.55 (6) (f) of the statutes is created to read:

18.55 (6) (f) Semiannually, during any year in which the state is a party to an agreement entered into pursuant to par. (a), the department of administration shall submit a report to the commission and to the cochairpersons of the joint committee on finance listing all such agreements. The report shall include all of the following:

1. A description of each agreement, including a summary of its terms and conditions, rates, maturity, and the estimated market value of each agreement.
2. An accounting of amounts that were required to be paid and received on each agreement.
3. Any credit enhancement, liquidity facility, or reserves, including an accounting of the costs and expenses incurred by the state.
4. A description of the counterparty to each agreement.
5. A description of the counterparty risk, the termination risk, and other risks associated with each agreement.

**SECTION 151s.** 18.71 (1) of the statutes is renumbered 18.71 (1m).

**SECTION 151v.** 18.71 (1d) of the statutes is created to read:

18.71 (1d) “Aggregate expected debt service and net exchange payments” means the sum of the following:

(a) The aggregate net payments expected to be made and received under a specified interest exchange agreement under s. 18.73 (5) (a).

(b) The aggregate debt service expected to be made on notes related to that agreement.

(c) The aggregate net payments expected to be made and received under all other interest exchange agreements under s. 18.73 (5) (a) relating to those notes that are in force at the time of executing the agreement.

**SECTION 152.** 18.73 (5) of the statutes is created to read:

18.73 (5) AGREEMENTS AND ARRANGEMENTS; DELEGATION; USE OF OPERATING NOTES.

(a) Subject to pars. (d) and (e), at the time of, or in anticipation of, contracting operating notes and at any time thereafter while the operating notes are outstanding, the commission may enter into agreements and ancillary arrangements relating to the operating notes, including liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, guaranty agreements, reimbursement agreements, indexing agreements, or interest exchange agreements. Any payment received pursuant to any such agreements or ancillary arrangements shall be deposited in, and any payments made pursuant to any such agreements or ancillary arrangements will be made from, the general fund or the operating note redemption fund, as determined by the commission. The
The determination of the commission included in an interest exchange agreement that such an agreement relates to an operating note shall be conclusive.

(b) The commission may delegate to other persons the authority and responsibility to take actions necessary and appropriate to implement agreements and ancillary arrangements under par. (a).

(c) Any operating notes may include operating notes contracted to fund interest, accrued or to accrue, on the operating notes.

(d) With respect to any interest exchange agreement or agreements specified in par. (a), all of the following shall apply:

1. The commission shall contract with an independent financial consulting firm to determine if the terms and conditions of the agreement reflect a fair market value, as of the proposed date of the execution of the agreement.

2. The interest exchange agreement must identify the note to which the agreement is related. The determination of the commission included in an interest exchange agreement that such agreement relates to a note shall be conclusive.

3. The resolution authorizing the commission to enter into any interest exchange agreement shall require that the terms and conditions of the agreement reflect a fair market value as of the date of execution of the agreement, as reflected by the determination of the independent financial consulting firm under subd. 1., and shall establish guidelines for any such agreement, including the following:

   a. The conditions under which the commission may enter into the agreements.

   b. The form and content of the agreements.

   c. The aspects of risk exposure associated with the agreements.

   d. The standards and procedures for counterparty selection.
e. The standards for the procurement of, and the setting aside of reserves, if any, in connection with, the agreements.

f. The provisions, if any, for collateralization or other requirements for securing any counterparty's obligations under the agreements.

g. A system for financial monitoring and periodic assessment of the agreements.

(e) 1. Subject to subd. 2., the terms and conditions of an interest exchange agreement under par. (a) shall not be structured so that, as of the trade date of the agreement, the aggregate expected debt service and net exchange payments relating to the agreement during the fiscal year in which the trade date occurs will be less than the aggregate expected debt service and net exchange payments relating to the agreement that would be payable during that fiscal year if the agreement is not executed.

2. Subdivision 1. shall not apply if either of the follow occurs:

a. The commission receives a determination by the independent financial consulting firm under par. (d) 1. that the terms and conditions of the agreement reflect payments by the state that represent on-market rates as of the trade date for the particular type of agreement.

b. The commission provides written notice to the joint committee on finance of its intention to enter into an agreement that is reasonably expected to satisfy subd. 1., and the joint committee on finance either approves or disapproves, in writing, the commission's entering into the agreement within 14 days of receiving the written notice from the commission.
3. This paragraph shall not limit the liability of the state under an agreement if actual contracted net exchange payments in any fiscal year are less than or exceed original expectations.

(f) Semiannually, during any year in which the state is a party to an agreement entered into pursuant to par. (a), the department of administration shall submit a report to the commission and to the cochairpersons of the joint committee on finance listing all such agreements. The report shall include all of the following:

1. A description of each agreement, including a summary of its terms and conditions, rates, maturity, and the estimated market value of each agreement.

2. An accounting of amounts that were required to be paid and received on each agreement.

3. Any credit enhancement, liquidity facility, or reserves, including an accounting of the costs and expenses incurred by the state.

4. A description of the counterparty to each agreement.

5. A description of the counterparty risk, the termination risk, and other risks associated with each agreement.

SECTION 153. 18.74 of the statutes is amended to read:

18.74 Application of operating note proceeds. All moneys resulting from the contracting of operating notes or any payment to be received under an agreement or ancillary arrangement entered into under s. 18.73 (5) with respect to any such operating notes shall be credited to the general fund, except that moneys which represent premium and accrued interest on operating notes, or moneys for purposes of funding or refunding operating notes pursuant to s. 18.72 (1) shall be credited to the operating note redemption fund.

SECTION 154. 18.75 (2) of the statutes is amended to read:
18.75 (2) The operating note redemption fund shall be expended and all
moneys from time to time on hand therein are irrevocably appropriated, in sums
sufficient, only for the payment of principal and interest on operating notes giving
rise to it and premium, if any, due upon refunding or early redemption of such
operating notes, and for the payment due, if any, under an agreement or ancillary
arrangement entered into under s. 18.73 (5) with respect to such operating notes.

SECTION 155. 18.75 (4) of the statutes is amended to read:

18.75 (4) There shall be transferred, under s. 20.855 (1) (a), a sum sufficient
for the payment of the principal, interest and premium due, if any, on the and for the
payment due, if any, under an agreement or ancillary arrangement entered into
pursuant to s. 18.73 (5) with respect to operating notes giving rise to it as the same
falls due. Such transfers shall be so timed that there is at all times on hand in the
fund an amount not less than the amount to be paid out of it during the ensuing 30
days or such other period if so provided for in the authorizing resolution. The
commission may pledge the deposit of additional amounts at periodic intervals and
the secretary of the department may impound moneys of the general fund, including
moneys temporarily reallocated from other funds under s. 20.002 (11), in accordance
with the pledge of revenues in the authorizing resolution, and all such
impoundments are deemed to be payments for purposes of s. 16.53 (10), but no such
impoundment may be made until the amounts to be paid into the bond security and
redemption fund under s. 18.09 during the ensuing 30 days have been deposited in
the bond security and redemption fund.

SECTION 156. 19.32 (1) of the statutes is amended to read:

19.32 (1) “Authority” means any of the following having custody of a record: a
state or local office, elected official, agency, board, commission, committee, council,
department or public body corporate and politic created by constitution, law, 
ordinance, rule or order; a governmental or quasi-governmental corporation except 
for the Bradley center sports and entertainment corporation; a local exposition 
district under subch. II of ch. 229; a family long-term care district under s. 46.2895; 
y any court of law; the assembly or senate; a nonprofit corporation which receives more 
than 50% of its funds from a county or a municipality, as defined in s. 59.001 (3), and 
which provides services related to public health or safety to the county or 
municipality; a nonprofit corporation operating the Olympic ice training center 
under s. 42.11 (3); or a formally constituted subunit of any of the foregoing.

SECTION 157. 19.42 (10) (p) of the statutes is repealed.

SECTION 158e. 19.42 (10) (r) of the statutes is created to read:

19.42 (10) (r) The employees and members of the board of directors of the Lower 
Fox River Remediation Authority.

SECTION 159. 19.42 (13) (o) of the statutes is repealed.

SECTION 161. 19.55 (2) (b) of the statutes is amended to read:

19.55 (2) (b) Records obtained or prepared by the board in connection with an 
investigation, except that the board shall permit inspection of records that are made 
public in the course of a hearing by the board to determine if a violation of this 
subchapter or subch. III of ch. 13 has occurred. Whenever the board refers such 
investigation and hearing records to a district attorney or to the attorney general, 
they may be made public in the course of a prosecution initiated under this 
subchapter. The board shall also provide information from investigation and hearing 
records that pertains to the location of individuals and assets of individuals as 
requested under s. 49.22 (2m) by the department of workforce development children 
and families or by a county child support agency under s. 59.53 (5).
SECTION 162. 19.55 (2) (d) of the statutes is amended to read:

19.55 (2) (d) Records of the social security number of any individual who files an application for licensure as a lobbyist under s. 13.63 or who registers as a principal under s. 13.64, except to the department of workforce development children and families for purposes of administration of s. 49.22 or to the department of revenue for purposes of administration of s. 73.0301.

SECTION 162h. 19.62 (8) of the statutes is amended to read:

19.62 (8) “State authority” means an authority that is a state elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, rule or order; a state governmental or quasi-governmental corporation; the supreme court or court of appeals; or the assembly or senate; or a nonprofit corporation operating the Olympic Ice Training Center under s. 42.11 (3).

SECTION 163. 19.82 (1) of the statutes is amended to read:

19.82 (1) “Governmental body” means a state or local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order; a governmental or quasi-governmental corporation except for the Bradley center sports and entertainment corporation; a local exposition district under subch. II of ch. 229; a family long-term care district under s. 46.2895; a nonprofit corporation operating the Olympic ice training center under s. 42.11 (3); or a formally constituted subunit of any of the foregoing, but excludes any such body or committee or subunit of such body which is formed for or meeting for the purpose of collective bargaining under subch. I, IV or V of ch. 111.

SECTION 163p. 19.84 (5) of the statutes is amended to read:
19.84 (5) Departments and their subunits in any University of Wisconsin System institution or campus and a nonprofit corporation operating the Olympic Ice Training Center under s. 42.11 (3) are exempt from the requirements of subs. (1) to (4) but shall provide meeting notice which is reasonably likely to apprise interested persons, and news media who have filed written requests for such notice.

**SECTION 163v.** 19.85 (1) (j) of the statutes is repealed.

**SECTION 165.** 19.86 of the statutes is amended to read:

**19.86 Notice of collective bargaining negotiations.** Notwithstanding s. 19.82 (1), where notice has been given by either party to a collective bargaining agreement under subch. I, IV or V of ch. 111 to reopen such agreement at its expiration date, the employer shall give notice of such contract reopening as provided in s. 19.84 (1) (b). If the employer is not a governmental body, notice shall be given by the employer’s chief officer or such person’s designee. This section does not apply to a nonprofit corporation operating the Olympic Ice Training Center under s. 42.11 (3).

**SECTION 166.** 20.001 (2) (e) of the statutes is amended to read:

20.001 (2) (e) *Federal revenues.* “Federal revenues” consist of moneys received from the federal government, except that under s. 20.445 (3) 20.437 (2) (md) “federal revenues” also include moneys treated as refunds of expenditures, and under s. 20.445 (3) 20.437 (2) (me) “federal revenues” consist only of moneys treated as received from the federal government. Federal revenues may be deposited as program revenues in the general fund or as segregated revenues in a segregated fund. In either case they are indicated in s. 20.005 by the addition of “−F” after the abbreviation assigned under pars. (b) and (d).

**SECTION 167.** 20.001 (5) of the statutes is amended to read:
20.001 (5) Refunds of Expenditures. Any amount not otherwise appropriated under this chapter that is received by a state agency as a result of an adjustment made to a previously recorded expenditure from a sum certain appropriation to that agency due to activities that are of a temporary nature or activities that could not be anticipated during budget development and which serves to reduce or eliminate the previously recorded expenditure in the same fiscal year in which the previously recorded expenditure was made, except as provided in s. 20.445 (3), may, upon request of the agency, be designated by the secretary of administration as a refund of an expenditure. Except as otherwise provided in this subsection, the secretary of administration may designate an amount received by a state agency as a refund of an expenditure only if the agency submits to the secretary a written explanation of the circumstances under which the amount was received that includes a specific reference in a statutory or nonstatutory law to a function of the agency under which the amount was received and the appropriation from which the previously recorded expenditure was made. A refund of an expenditure shall be deposited by the receiving state agency in the appropriation account from which the previously recorded expenditure was made. Except as otherwise provided in this subsection, a state agency which proposes to make an expenditure from moneys designated as a refund of an expenditure shall submit to the secretary of administration a written explanation of the purpose of the expenditure, including a specific reference in a statutory or nonstatutory law to a function of the agency under which the expenditure is to be made and the appropriation from which the expenditure is to be made. After submission and approval of an estimate of the amount proposed to be expended under s. 16.50 (2), a state agency may expend the moneys received from the refund of the expenditure. The secretary of administration
may waive submission of any explanation required by this subsection for categories of refunds of expenditures or proposed refunds of expenditures.

SECTION 167e. 20.003 (2) of the statutes is amended to read:

20.003 (2) Revisor's Legislative Reference Bureau Authority. All appropriations made by the legislature shall be listed in this chapter. The revisor of statutes legislative reference bureau shall assign numbers in this chapter to any appropriation not so numbered and if appropriation laws are enacted which are not numbered to correspond with the numbering system of this chapter as outlined in sub. (3), the revisor of statutes legislative reference bureau shall renumber such laws accordingly.

SECTION 168. 20.003 (4) (fm) of the statutes is repealed.

SECTION 169. 20.003 (4) (fr) of the statutes is repealed.

SECTION 172. 20.003 (4) (fw) of the statutes is created to read:

20.003 (4) (fw) For fiscal year 2009–10, $65,000,000.

SECTION 173. 20.003 (4) (fx) of the statutes is created to read:

20.003 (4) (fx) For fiscal year 2010–11, $65,000,000.

SECTION 174. 20.003 (4) (g) of the statutes is amended to read:

20.003 (4) (g) For fiscal year 2009–10 2011–12 and each fiscal year thereafter, 2%.

SECTION 174e. 20.004 (2) of the statutes is amended to read:

20.004 (2) Immediately following the final adjournment of the legislature, or at convenient intervals prior thereto, the department of administration shall amend the schedule and summaries set forth in s. 20.005 to include all fiscal acts of the legislature, and submit the composite amended schedule and summaries to the joint committee on finance for approval. When approved, the department of
administration shall then submit the schedule and summaries to the revisor of statutes, who legislative reference bureau, which shall print the revised schedules and summaries of all state funds in the ensuing issue of the statutes as part of s. 20.005 and in lieu of the schedules and summaries printed in the preceding issue of the statutes. If any conflict exists between ss. 20.115 to 20.875 and s. 20.005, ss. 20.115 to 20.875 shall control and s. 20.005 shall be changed to correspond with ss. 20.115 to 20.875. All appropriations are to be rounded to the nearest $100 and if any appropriation is made which is not so rounded the department of administration, when preparing the composite amended schedule and summaries, shall show the appropriation increased to the next $100.

**SECTION 175.** 20.005 (1) of the statutes is repealed and recreated to read:

20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds beginning on July 1, 2007, and ending on June 30, 2009, is summarized as follows: [See Figure 20.005 (1) following]

**Figure: 20.005 (1)**

### GENERAL FUND SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening Balance, July 1</td>
<td>$66,288,000</td>
<td>$68,292,700</td>
</tr>
<tr>
<td>Revenues and Transfers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taxes</td>
<td>$13,128,175,000</td>
<td>$13,651,100,000</td>
</tr>
<tr>
<td>Departmental Revenues</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tribal Gaming</td>
<td>$96,731,600</td>
<td>$46,250,700</td>
</tr>
<tr>
<td>Other</td>
<td>$410,477,700</td>
<td>$418,768,800</td>
</tr>
<tr>
<td><strong>Total Available</strong></td>
<td><strong>$13,701,672,300</strong></td>
<td><strong>$14,184,412,200</strong></td>
</tr>
</tbody>
</table>
### Appropriations and Reserves

<table>
<thead>
<tr>
<th></th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Appropriations*</td>
<td>$13,829,514,400</td>
<td>$14,206,251,900</td>
</tr>
<tr>
<td>Compensation Reserves</td>
<td>67,784,500</td>
<td>172,546,700</td>
</tr>
<tr>
<td>Less Lapses</td>
<td>$-263,919,300</td>
<td>$-263,608,200</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>$13,633,379,600</td>
<td>$14,115,190,400</td>
</tr>
</tbody>
</table>

### Balances

<table>
<thead>
<tr>
<th></th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Balance</td>
<td>$68,292,700</td>
<td>$69,221,800</td>
</tr>
<tr>
<td>Less Required Statutory Balance</td>
<td>$-65,000,000</td>
<td>$-65,000,000</td>
</tr>
<tr>
<td><strong>Net Balance, June 30</strong></td>
<td>$3,292,700</td>
<td>$4,221,800</td>
</tr>
<tr>
<td><strong>Structural Balance</strong></td>
<td>$2,004,000</td>
<td>$929,100</td>
</tr>
</tbody>
</table>

1 *Includes $85,490,700 GPR in fiscal year 2007-08 and $90,414,400 GPR in fiscal year 2008-09 related to a GPR debt service appropriation under the Department of Transportation that is not included in this act.

---

### SUMMARY OF APPROPRIATIONS — ALL FUNDS

<table>
<thead>
<tr>
<th></th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Purpose Revenue</td>
<td>$13,744,023,700</td>
<td>$14,115,837,500</td>
</tr>
<tr>
<td>Federal Revenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program</td>
<td>$6,503,513,800</td>
<td>$6,727,510,200</td>
</tr>
<tr>
<td>Segregated</td>
<td>$6,453,332,400</td>
<td>$6,667,426,500</td>
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<tr>
<td></td>
<td>$50,181,400</td>
<td>$50,083,700</td>
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<tr>
<td>Program Revenue</td>
<td>$4,017,544,100</td>
<td>$4,132,933,800</td>
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<tr>
<td>Nonservice</td>
<td>$3,232,186,800</td>
<td>$3,340,232,800</td>
</tr>
<tr>
<td>Service</td>
<td>$785,357,300</td>
<td>$792,701,000</td>
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<tr>
<td>Segregated Revenue</td>
<td>$1,457,143,200</td>
<td>$1,455,307,400</td>
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<tr>
<td>State nonservice</td>
<td>$491,149,100</td>
<td>$486,835,300</td>
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<tr>
<td>Local</td>
<td>$311,543,600</td>
<td>$316,503,200</td>
</tr>
<tr>
<td>Service</td>
<td>$654,450,500</td>
<td>$651,968,900</td>
</tr>
<tr>
<td>Description</td>
<td>2007-08</td>
<td>2008-09</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>GRAND TOTAL</td>
<td>$ 25,722,224,800</td>
<td>$ 26,431,588,900</td>
</tr>
</tbody>
</table>

**SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

<table>
<thead>
<tr>
<th>Description</th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Purpose Revenue</td>
<td>$ 67,784,500</td>
<td>$ 172,546,700</td>
</tr>
<tr>
<td>Federal Revenue</td>
<td>32,074,800</td>
<td>82,234,600</td>
</tr>
<tr>
<td>Program Revenue</td>
<td>19,814,200</td>
<td>50,519,400</td>
</tr>
<tr>
<td>Segregated Revenue</td>
<td>7,186,500</td>
<td>17,789,100</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$ 126,860,000</td>
<td>$ 323,089,800</td>
</tr>
</tbody>
</table>

**LOTTERY FUND SUMMARY**

<table>
<thead>
<tr>
<th>Description</th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Revenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ticket Sales</td>
<td>$ 504,690,200</td>
<td>$ 511,890,200</td>
</tr>
<tr>
<td>Miscellaneous Revenue</td>
<td>96,600</td>
<td>96,600</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$ 504,786,800</td>
<td>$ 511,986,800</td>
</tr>
<tr>
<td>Expenses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prizes</td>
<td>$ 293,145,200</td>
<td>$ 297,798,500</td>
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<tr>
<td>Administrative Expenses</td>
<td>71,304,100</td>
<td>72,458,300</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$ 364,449,300</td>
<td>$ 370,256,800</td>
</tr>
<tr>
<td>Net Proceeds</td>
<td>$ 140,337,500</td>
<td>$ 141,730,000</td>
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</tbody>
</table>
### SECTION 175

#### Senate Bill 1

<table>
<thead>
<tr>
<th>Total Available for Property Tax Relief</th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening Balance</td>
<td>$9,796,700</td>
<td>$10,095,700</td>
</tr>
<tr>
<td>Net Proceeds</td>
<td>140,337,500</td>
<td>141,730,000</td>
</tr>
<tr>
<td>Interest Earnings</td>
<td>3,668,500</td>
<td>3,668,500</td>
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<tr>
<td>Gaming-related Revenue</td>
<td>333,100</td>
<td>333,100</td>
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<tr>
<td></td>
<td>$154,135,800</td>
<td>$155,827,300</td>
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</table>

#### Property Tax Relief

<table>
<thead>
<tr>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>$144,040,100</td>
<td>$145,587,600</td>
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</table>

#### Gross Closing Balance

<table>
<thead>
<tr>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10,095,700</td>
<td>$10,239,700</td>
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</table>

#### Reserve

<table>
<thead>
<tr>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10,095,700</td>
<td>$10,239,700</td>
</tr>
</tbody>
</table>

#### Net Closing Balance

<table>
<thead>
<tr>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>$-0-</td>
<td>$-0-</td>
</tr>
</tbody>
</table>

---

### SECTION 176

20.005 (2) of the statutes is repealed and recreated to read:

20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following schedule sets forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b) following]

---

**Figure: 20.005 (2) (a)**

### SUMMARY OF BONDING AUTHORITY MODIFICATIONS

#### 2007-09 FISCAL BIENNium

<table>
<thead>
<tr>
<th>Source and Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL OBLIGATIONS</strong></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
</tr>
<tr>
<td>Energy conservation projects; capital improvement fund</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>School educational technology infrastructure financial assistance</td>
<td>$-18,288,700</td>
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</table>
## Source and Purpose

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public library educational technology infrastructure financial assistance</td>
<td>−31,000</td>
</tr>
<tr>
<td>Agriculture, Trade and Consumer Protection</td>
<td></td>
</tr>
<tr>
<td>Soil and water</td>
<td>7,000,000</td>
</tr>
<tr>
<td>Building Commission</td>
<td></td>
</tr>
<tr>
<td>Other public purposes</td>
<td>125,000,000</td>
</tr>
<tr>
<td>Housing state departments and agencies</td>
<td>69,264,500</td>
</tr>
<tr>
<td>Hmong cultural centers</td>
<td>2,250,000</td>
</tr>
<tr>
<td>Civil War exhibit at the Kenosha Public Museums</td>
<td>500,000</td>
</tr>
<tr>
<td>Bond Health Center</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Racine County; Discovery Place Meuseum</td>
<td>−1,000,000</td>
</tr>
<tr>
<td>Corrections</td>
<td></td>
</tr>
<tr>
<td>Correctional facilities</td>
<td>10,256,500</td>
</tr>
<tr>
<td>Educational Communications Board</td>
<td></td>
</tr>
<tr>
<td>Educational communications facilities</td>
<td>1,123,400</td>
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<tr>
<td>Environmental Improvement Fund</td>
<td></td>
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<tr>
<td>Clean water fund program</td>
<td>59,900,000</td>
</tr>
<tr>
<td>Safe drinking water loan program</td>
<td>6,090,000</td>
</tr>
<tr>
<td>Health and Family Services</td>
<td></td>
</tr>
<tr>
<td>Mental health and secure treatment facilities</td>
<td>45,056,000</td>
</tr>
<tr>
<td>Historical Society</td>
<td></td>
</tr>
<tr>
<td>Historic records</td>
<td>3,250,000</td>
</tr>
<tr>
<td>Medical College of Wisconsin, Inc.</td>
<td></td>
</tr>
<tr>
<td>Biomedical research and technology incubator</td>
<td>10,000,000</td>
</tr>
</tbody>
</table>
### Source and Purpose

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Military Affairs</strong></td>
<td></td>
</tr>
<tr>
<td>Armories and military facilities</td>
<td>5,308,600</td>
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<tr>
<td><strong>Natural Resources</strong></td>
<td></td>
</tr>
<tr>
<td>Contaminated sediment removal</td>
<td>17,000,000</td>
</tr>
<tr>
<td>Environmental repair</td>
<td>3,000,000</td>
</tr>
<tr>
<td>Nonpoint source</td>
<td>7,000,000</td>
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<tr>
<td>Nonpoint source grants</td>
<td>5,000,000</td>
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<tr>
<td>Urban nonpoint source cost-sharing</td>
<td>6,000,000</td>
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<tr>
<td>Stewardship 2000 program</td>
<td>1,050,000,000</td>
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<tr>
<td>Segregated fund supported facilities</td>
<td>18,199,600</td>
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<tr>
<td>Environmental segregated fund supported facilities</td>
<td>2,849,800</td>
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<tr>
<td><strong>State Fair Park Board</strong></td>
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<tr>
<td>Self-amortizing facilities</td>
<td>-3,800,000</td>
</tr>
<tr>
<td><strong>University of Wisconsin</strong></td>
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</tr>
<tr>
<td>Academic facilities</td>
<td>205,365,000</td>
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<tr>
<td>Self-amortizing facilities</td>
<td>335,751,100</td>
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<tr>
<td><strong>Veterans Affairs</strong></td>
<td></td>
</tr>
<tr>
<td>Self-amortizing mortgage loans</td>
<td>85,000,000</td>
</tr>
<tr>
<td>Self-amortizing facilities</td>
<td>3,139,000</td>
</tr>
</tbody>
</table>

**TOTAL General Obligation Bonds**  
$ 2,094,383,800

### REVENUE OBLIGATIONS

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commerce</td>
<td></td>
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<tr>
<td>Petroleum storage remedial action</td>
<td>$ -49,076,000</td>
</tr>
<tr>
<td>Environmental Improvement Fund</td>
<td></td>
</tr>
<tr>
<td>Clean water fund</td>
<td>368,145,000</td>
</tr>
</tbody>
</table>
### Source and Purpose

<table>
<thead>
<tr>
<th>Source and Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL Revenue Obligation Bonds</td>
<td>$ 319,069,000</td>
</tr>
<tr>
<td>GRAND TOTAL</td>
<td>$ 2,413,452,800</td>
</tr>
</tbody>
</table>

---

**Figure: 20.005 (2) (b)**

**GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE**

**FISCAL YEARS 2007-08 AND 2008-09**

<table>
<thead>
<tr>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.115 Agriculture, trade and consumer protection, department of</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) (d) Principal repayment and interest</td>
<td>GPR</td>
<td>$ 12,000</td>
<td>$ 11,700</td>
</tr>
<tr>
<td>(7) (b) Principal repayment and interest, conservation reserve enhancement</td>
<td>GPR</td>
<td>510,300</td>
<td>693,700</td>
</tr>
<tr>
<td>(7) (f) Principal repayment and interest; soil and water</td>
<td>GPR</td>
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### Statute, Agency and Purpose

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### Section 176: Senate Bill 1

#### Statute, Agency, and Purpose

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SECTION 177. 20.005 (3) of the statutes, except as it affects 20.395 of the statues, is repealed and recreated to read:

20.005 (3) APPROPRIATIONS. The following schedule sets forth all annual, biennial, and sum certain continuing appropriations and anticipated expenditures from other appropriations for the programs and other purposes indicated. All appropriations are made from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both fiscal years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]
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### Program Totals

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| PROGRAM REVENUE |          |                      | 2,994,200       | 2,993,900      |
| FEDERAL         |          |                      | 3,869,500       | 3,869,500      |
| OTHER           |          |                      | (3,008,100)     | (3,008,100)    |
| (861,400)       |          |                      | (861,400)       | (861,400)      |
| TOTAL-ALL SOURCES |          |                      | 6,863,700       | 6,863,400      |
### STATUTE, AGENCY AND PURPOSE

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<td>(L)</td>
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#### (3) PROGRAM TOTALS

- **GENERAL PURPOSE REVENUES**: 2,205,400 (2007-08) 2,281,800 (2008-09)
- **PROGRAM REVENUE**: 4,518,800 (2007-08) 4,518,800 (2008-09)
- **OTHER**: (880,900) (2007-08) (880,900) (2008-09)
- **TOTAL−ALL SOURCES**: 6,724,200 (2007-08) 6,800,600 (2008-09)

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(7) PROGRAM TOTALS

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### Section 177

#### Senate Bill 1

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#### (8) Program Totals

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#### 2015 Department Totals

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1. **20.143 Commerce, department of**

2. (1) **ECONOMIC AND COMMUNITY DEVELOPMENT**

3. (a) General program operations GPR A 4,249,800 4,249,800

4. (b) Economic development promotion, plans and studies GPR A 30,000 30,000

5. (bm) Aid to Forward Wisconsin, Inc. GPR A 320,000 320,000

6. (c) Wisconsin development fund; grants, loans, reimbursements, and assistance GPR B 7,873,400 7,098,400

7. (cf) Community-based, nonprofit organization grant for educational project GPR A -0- -0-

8. (d) High-technology business development corporation GPR A 250,000 250,000

9. (dr) Main street program GPR A 408,300 408,300

10. (e) Technology-based economic development GPR A -0- -0-

11. (em) Hazardous pollution prevention; contract GPR A -0- -0-

12. (er) Rural economic development program GPR B 606,500 606,500
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(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES 15,904,300 15,129,300
PROGRAM REVENUE 44,505,600 44,505,600
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### Statute, Agency and Purpose

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#### (2) Program Totals

- **General Purpose Revenues**: 3,492,900
- **Program Revenue**: 38,384,600
  - Federal: 34,159,600
  - Other: 3,725,000
  - Service: 500,000
- **Total−All Sources**: 41,877,500

#### (3) Regulation of Industry, Safety and Buildings

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(3) Program Totals

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### 20.143 Department Totals

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### Statute, Agency and Purpose

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#### 20.144 Financial institutions, department of

1. **Supervision of financial institutions, securities reg. and other functions**

2. **Program Totals**

3. (a) Losses on public deposits
   - GPR S
   - 2007-08: -0–
   - 2008-09: -0–

4. (g) General program operations
   - PR A
   - 2007-08: 14,875,000
   - 2008-09: 14,875,000

5. (h) Gifts, grants, settlements and publications
   - PR C
   - 2007-08: 65,000
   - 2008-09: 65,000

6. (i) Investor education fund
   - PR A
   - 2007-08: 100,000
   - 2008-09: 100,000

7. (u) State deposit fund
   - SEG S
   - 2007-08: -0–
   - 2008-09: -0–

(1) **Program Totals**

- **Program Revenues**
  - 2007-08: 15,040,000
  - 2008-09: 15,040,000
- **Other**
  - 2007-08: (15,040,000)
  - 2008-09: (15,040,000)
- **Segregated Funds**
  - 2007-08: -0–
  - 2008-09: -0–
- **Other**
  - 2007-08: (-0–)
  - 2008-09: (-0–)

8. **Total--All Sources**
   - 2007-08: 15,040,000
   - 2008-09: 15,040,000

#### 20.144 Office of credit unions

9. (2) **Program Totals**

10. (g) General program operations
    - PR A
    - 2007-08: 1,923,700
    - 2008-09: 1,936,100

11. (m) Credit union examinations, federal
    - PR-F C
    - 2007-08: -0–
    - 2008-09: -0–

(2) **Program Totals**

- **Program Revenues**
  - 2007-08: 1,923,700
  - 2008-09: 1,936,100
- **Federal**
  - 2007-08: (-0–)
  - 2008-09: (-0–)
- **Other**
  - 2007-08: (1,923,700)
  - 2008-09: (1,936,100)

(2) **Department Totals**

- **Program Revenues**
  - 2007-08: 1,923,700
  - 2008-09: 1,936,100
- **Department Totals**
  - 2007-08: 1,923,700
  - 2008-09: 1,936,100

- **General Purpose Revenues**
  - 2007-08: -0–
  - 2008-09: -0–
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1 20.145 Insurance, office of the commissioner of

2 (1) SUPERVISION OF THE INSURANCE INDUSTRY

3 (g) General program operations PR A 15,704,300 15,754,200

4 (gm) Gifts and grants PR C −0− −0−

5 (h) Holding company restructuring expenses PR C −0− −0−

7 (m) Federal funds PR−F C −0− −0−

(1) PROGRAM TOTALS

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8 (2) INJURED PATIENTS AND FAMILIES COMPENSATION FUND

9 (q) Interest earned on future medical expenses SEG S −0− −0−

10 (u) Administration SEG A 1,579,100 1,179,300

11 (um) Peer review council SEG A 135,000 135,000

13 (v) Specified responsibilities, inv. board payments and future medical expenses SEG C 54,697,400 54,697,400

(2) PROGRAM TOTALS

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### Statute, Agency and Purpose

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#### Local Government Property Insurance Fund

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#### Program Totals

**Segregated Funds**

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**Other**

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**Total-All Sources**

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#### State Life Insurance Fund

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#### Program Totals

**Segregated Funds**

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**Other**

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**Total-All Sources**

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#### 20.145 Department Totals

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**Segregated Funds**

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**Other**

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#### Public Service Commission

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**Utility Regulation**

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**Holding Company and Nonutility Affiliate Regulation**

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<td>(j) Intervenor financing</td>
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<td>(L) Stray voltage program</td>
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</tr>
<tr>
<td>(Lb) Gifts for stray voltage program</td>
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<td>(Lm) Consumer education and awareness</td>
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<td>(m) Federal funds</td>
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<td>(n) Indirect costs reimbursement</td>
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<td>(q) Universal telecommunications service</td>
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(1) PROGRAM TOTALS

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(2) OFFICE OF THE COMMISSIONER OF RAILROADS

(2) PROGRAM TOTALS

<table>
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(3) AFFILIATED GRANT PROGRAMS

(2) PROGRAM TOTALS

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<td>(-0-)</td>
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<tr>
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(4) GENERAL PROGRAM OPERATIONS AND GRANTS

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### Section 177

**Statute, Agency and Purpose**

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Energy efficiency and renewable resource programs

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**20.155 Department Totals**

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3  **20.165 Regulation and licensing, department of**

4  **(1) Professional regulation**

5  **(g) General program operations**

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6  **(gm) Applicant investigation**

7  **(m) Reimbursement**

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8  **(h) Technical assistance; nonstate agencies and organizations**

9  **(i) Examinations; general program operations**

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10 **(k) Technical assistance; state agencies**

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12 **(m) Federal funds**

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**20.165 Department Totals**

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<tr>
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## Statute, Agency and Purpose

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<tr>
<td>(1) State fair park</td>
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<td>(c) Housing facilities principal repayment, interest and rebates</td>
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### 20.190 Department Totals

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<td>(17,779,300)</td>
<td>(18,185,500)</td>
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<tr>
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<td>20,271,500</td>
<td>20,646,400</td>
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### Commerce

#### FUNCTIONAL AREA TOTALS

<table>
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<tr>
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<td>56,005,700</td>
<td>55,849,600</td>
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<td>PROGRAM REVENUE</td>
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<td>238,752,300</td>
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<td>(87,107,600)</td>
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<td>185,426,500</td>
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<td>(−0−)</td>
<td>(−0−)</td>
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<td>OTHER</td>
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<td>(185,426,500)</td>
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<td>SERVICE</td>
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<td>(−0−)</td>
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### Education

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<tr>
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<td></td>
<td></td>
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<tr>
<td>(1) Support of arts projects</td>
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<tr>
<td>(a) General program operations</td>
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<td>370,400</td>
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<td>1,885,500</td>
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<td>(c) Portraits of governors</td>
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<td>A</td>
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<td>-0-</td>
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<tr>
<td>(d) Challenge grant program</td>
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<td>A</td>
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<td>90,000</td>
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<tr>
<td>(e) High point fund</td>
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<td>A</td>
<td>-0-</td>
<td>-0-</td>
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<td>(f) Wisconsin regranting program</td>
<td>GPR</td>
<td>A</td>
<td>124,300</td>
<td>124,300</td>
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<td>(fm) One-time grants</td>
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<td>40,000</td>
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<td>(g) Gifts and grants; state operations</td>
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<td>C</td>
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<td>(h) Gifts and grants; aids to individuals and organizations</td>
<td>PR</td>
<td>C</td>
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<tr>
<td>(j) Support of arts programs</td>
<td>PR</td>
<td>C</td>
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<td>-0-</td>
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<tr>
<td>(k) Funds received from other state agencies</td>
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<td>C</td>
<td>444,800</td>
<td>444,800</td>
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<tr>
<td>(ka) Percent-for-art administration</td>
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<td>A</td>
<td>-0-</td>
<td>-0-</td>
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<td>(km) State aid for the arts; Indian gaming receipts</td>
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<td>25,200</td>
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<td>433,600</td>
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<td>(o) Federal grants; aids to individuals and organizations</td>
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20.215 Department Totals

<table>
<thead>
<tr>
<th>General Purpose Revenues</th>
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<tr>
<td></td>
<td>2,510,200</td>
<td>2,470,200</td>
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20.220 Wisconsin artistic endowment foundation

1 (1) WISCONSIN ARTISTIC ENDOWMENT FOUNDATION

3 (a) Education and marketing   GPR  C   -0-   -0-

4 (q) General program operations  SEG  A  -0-   -0-

5 (r) Support of the arts   SEG  C  -0-   -0-

20.220 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES   -0-   -0-
SEGREGATED FUNDS  -0-   -0-
OTHER   (-0-)  (-0-)
TOTAL-ALL SOURCES  -0-   -0-

20.225 Educational communications board

6 (1) INSTRUCTIONAL TECHNOLOGY

8 (a) General program operations   GPR  A  3,306,100   3,306,100

9 (b) Energy costs   GPR  A  753,400   790,800

10 (c) Principal repayment and interest   GPR  S  2,477,700   2,574,000

11 (d) Milwaukee area technical college   GPR  A  250,800   250,800

12 (eg) Transmitter construction   GPR  C  -0-   -0-

13 (er) Transmitter operation   GPR  A  19,000   19,000

14 (f) Programming   GPR  A  1,194,400   1,194,400

15 (g) Gifts, grants, contracts, leases, instructional material, and copyrights   PR  C  8,755,200   8,755,200
<table>
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<th>STATUTE, AGENCY AND PURPOSE</th>
<th>SOURCE</th>
<th>TYPE</th>
<th>2007-08</th>
<th>2008-09</th>
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<tr>
<td>(i) Program revenue facilities; principal repayment, interest, and rebates</td>
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<td>S</td>
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<td>13,300</td>
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<tr>
<td>(k) Funds received from other state agencies</td>
<td>PR-S</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<td>(kb) Emergency weather warning system operation</td>
<td>PR-S</td>
<td>A</td>
<td>154,400</td>
<td>154,400</td>
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<tr>
<td>(m) Federal grants</td>
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20.225 DEPARTMENT TOTALS

<table>
<thead>
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<th>Source Type</th>
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<td>(1,171,800)</td>
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<td>(8,768,500)</td>
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<td>(154,400)</td>
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<td>18,095,900</td>
<td>18,229,800</td>
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20.235 Higher educational aids board

10 (1) STUDENT SUPPORT ACTIVITIES

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<tr>
<th>Source Type</th>
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<tr>
<td>Nursing student loans</td>
<td>GPR</td>
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<tr>
<td>Nursing student loan program</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td>Minority teacher loans</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td>Teacher education loan program</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td>Loan pgm for teachers &amp; orient &amp; mobility instructors of vis imp pupils</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td>Dental education contract</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td>Statute, Agency and Purpose</td>
<td>Source</td>
<td>Type</td>
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<tr>
<td>(e) Minnesota-Wisconsin student reciprocity agreement</td>
<td>GPR</td>
<td>S</td>
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<tr>
<td>(fc) Independent student grants program</td>
<td>GPR</td>
<td>B</td>
</tr>
<tr>
<td>(fd) Talent incentive grants</td>
<td>GPR</td>
<td>B</td>
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<tr>
<td>(fe) Wisconsin higher education grants; University of Wisconsin system students</td>
<td>GPR</td>
<td>S</td>
</tr>
<tr>
<td>(ff) Wisconsin higher education grants; technical college students</td>
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<td>B</td>
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<tr>
<td>(fg) Minority undergraduate retention grants program</td>
<td>GPR</td>
<td>B</td>
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<tr>
<td>(fj) Handicapped student grants</td>
<td>GPR</td>
<td>B</td>
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<tr>
<td>(fm) Wisconsin covenant scholars grants</td>
<td>GPR</td>
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<tr>
<td>(fy) Academic excellence higher education scholarship program</td>
<td>GPR</td>
<td>S</td>
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<tr>
<td>(fz) Remission of fees for veterans and dependents</td>
<td>GPR</td>
<td>B</td>
</tr>
<tr>
<td>(g) Student loans</td>
<td>PR</td>
<td>A</td>
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<tr>
<td>(gg) Nursing student loan repayments</td>
<td>PR</td>
<td>C</td>
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<tr>
<td>(gm) Indian student assistance; contributions</td>
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<td>C</td>
</tr>
<tr>
<td>(i) Gifts and grants</td>
<td>PR</td>
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<td>(k) Indian student assistance</td>
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## STATUTE, AGENCY AND PURPOSE

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<th>SOURCE</th>
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<td>2</td>
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<td>C</td>
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<td>1,354,500</td>
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<td>3</td>
<td>(no) Federal aid; aids to individuals and organizations</td>
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<td>4</td>
<td>(1) PROGRAM TOTALS</td>
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<tr>
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<td>(1,354,500)</td>
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<tr>
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<td>OTHER</td>
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<td>(−0−)</td>
<td></td>
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<tr>
<td></td>
<td>SERVICE</td>
<td>(1,201,600)</td>
<td>(1,211,600)</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>TOTAL—ALL SOURCES</td>
<td>118,988,100</td>
<td>126,604,400</td>
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<tr>
<td>5</td>
<td>(2) ADMINISTRATION</td>
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<tr>
<td>6</td>
<td>(aa) General program operations</td>
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<td>A</td>
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<td>910,400</td>
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<td>7</td>
<td>(bb) Student loan interest, loans sold or conveyed</td>
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<td>−0−</td>
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<tr>
<td>8</td>
<td>(bc) Write–off of uncollectible student loans</td>
<td>GPR</td>
<td>A</td>
<td>−0−</td>
<td>−0−</td>
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<tr>
<td>9</td>
<td>(bd) Purchase of defective student loans</td>
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<td>−0−</td>
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<td>10</td>
<td>(ga) Student interest payments</td>
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<td>1,000</td>
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<td>11</td>
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<td>−0−</td>
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<td>12</td>
<td>(ia) Student loans; collection and administration</td>
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<td>C</td>
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<td>−0−</td>
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<td>13</td>
<td>(ja) Write–off of defaulted student loans</td>
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<td>−0−</td>
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<td>14</td>
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<tr>
<td>15</td>
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### Statute, Agency and Purpose

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<td>PROGRAM REVENUE</td>
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<td>1,000</td>
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<tr>
<td>FEDERAL</td>
<td></td>
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<td>(-0-)</td>
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<tr>
<td>OTHER</td>
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<td>(1,000)</td>
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<tr>
<td>SEGREGATED FUNDS</td>
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<td>-0-</td>
</tr>
<tr>
<td>OTHER</td>
<td></td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
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<td>911,400</td>
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#### 20.235 Department Totals

<table>
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<td></td>
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<td>2,567,100</td>
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<td>FEDERAL</td>
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<td>(1,354,500)</td>
<td>(1,354,500)</td>
</tr>
<tr>
<td>SERVICE</td>
<td></td>
<td>(1,201,600)</td>
<td>(1,211,600)</td>
</tr>
<tr>
<td>SEGREGATED FUNDS</td>
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<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>OTHER</td>
<td></td>
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<td>(-0-)</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
<td></td>
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<td>127,515,800</td>
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#### 20.245 Historical society

1. **History Services**

2. **General program operations**
   - GPR A 10,945,200 11,074,100

3. **Wisconsin black historical society and museum**
   - GPR A 90,000 90,000

4. **Energy costs**
   - GPR A 827,200 862,200

5. **Principal repayment, interest, and rebates**
   - GPR S 2,031,600 2,716,600

6. **Gifts, grants, and membership sales**
   - PR C 338,700 338,700

7. **Self-amortizing facilities; principal repayment, interest and rebates**
   - PR S 103,500 96,600

8. **Storage facility**
   - PR-S A -0- 127,600

9. **Northern great lakes center**
   - PR-S A 261,200 261,200
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<th>STATUTE, AGENCY AND PURPOSE</th>
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<th>TYPE</th>
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<th>2008-09</th>
</tr>
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<td>PR-S</td>
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<td>1,791,500</td>
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<td>(kw) Records management — service funds</td>
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<td>C</td>
<td>193,400</td>
<td>258,000</td>
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<td>(m) General program operations; federal funds</td>
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<td>(n) Federal aids</td>
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<td>-0-</td>
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<tr>
<td>(pz) Indirect cost reimbursements</td>
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20.245 DEPARTMENT TOTALS

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<tr>
<th></th>
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<td>13,894,000</td>
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<td>PROGRAM REVENUE</td>
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<td>(1,188,700)</td>
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<tr>
<td>OTHER</td>
<td>(442,200)</td>
<td>(435,300)</td>
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<tr>
<td>SERVICE</td>
<td>(2,246,100)</td>
<td>(2,438,300)</td>
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<td>3,987,700</td>
<td>3,987,700</td>
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<tr>
<td>OTHER</td>
<td>(3,987,700)</td>
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20.250 Medical college of Wisconsin

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### Statute, Agency and Purpose

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#### Program Totals

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20.255 Public instruction, department of

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(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS

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<td>PR-F</td>
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### (3) Program Totals

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<td>General Purpose Revenues</td>
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### 20.255 Department Totals

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### 20.285 University of Wisconsin System

1. **University Education, Research and Public Service**

2. **General Program Operations**
   - GPR A 763,591,300 787,991,800

3. **Student Aid**
   - GPR A 1,347,400 1,347,400

4. **Distinguished Professorships**
   - GPR A 882,100 882,100

5. **Industrial and Economic Development Research**
   - GPR A 1,794,300 1,794,300

6. **Area Health Education Centers**
   - GPR A 1,152,400 1,152,400

7. **Fee Remissions**
   - GPR A 30,000 30,000

8. **Energy Costs**
   - GPR A 119,714,500 131,626,200

9. **Educational Technology**
   - GPR A 6,646,900 6,646,900

10. **Principal Repayment and Interest**
    - GPR S 134,407,000 137,570,900

11. **Lease Rental Payments**
    - GPR S −0− −0−

12. **Self-Amortizing Facilities Principal and Interest**
    - GPR S −0− −0−

13. **Schools of Business**
    - GPR A 1,713,600 1,713,600

14. **Extension Outreach**
    - GPR A 369,100 369,100

15. **Extension Local Planning Program**
    - GPR A 91,700 91,700
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<td>4 (ip) Extension student fees</td>
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### Statute, Agency and Purpose

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### (1) Program Totals

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<th>Service</th>
<th>Segregated Funds</th>
<th>Other</th>
<th>Total—All Sources</th>
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### (3) Program Totals

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<th>Total—All Sources</th>
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<td>General Purpose Revenues</td>
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<td>(2,265,400)</td>
<td>(162,500)</td>
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### Statute, Agency and Purpose

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<td>(dd) Lawton minority undergraduate grants program</td>
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<td>Total--All Sources</td>
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<td>25,336,700</td>
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<td>(5) University of Wisconsin-Madison intercollegiate athletics</td>
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<td>6</td>
<td>(h) Auxiliary enterprises</td>
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<td>(j) Gifts and grants</td>
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<td>10</td>
<td>(6) University of Wisconsin hospitals and clinics authority</td>
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<td>11</td>
<td>(a) Services received from authority</td>
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<td>Total--All Sources</td>
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**20.285 Department Totals**

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<td>General Purpose Revenues</td>
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<td>1,139,180,600</td>
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<td>(1,030,019,700)</td>
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<td>Other</td>
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<td>(2,294,800,000)</td>
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<td>Service</td>
<td>(73,378,100)</td>
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<td>27,569,500</td>
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<td>Statute, Agency and Purpose</td>
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<td>Type</td>
</tr>
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<td>OTHER</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
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1. **20.292 Technical college system, board of**

2. (1) **Technical college system**

3. (a) General program operations  
   | Source  | Type | 2007-08  | 2008-09  |  
   | GPR      | A     | 3,565,900 | 3,565,900 |

4. (am) Fee remissions  
   | Source  | Type | 2007-08  | 2008-09  |  
   | GPR      | A     | 14,300    | 14,300    |

5. (b) Displaced homemakers’ program  
   | Source  | Type | 2007-08  | 2008-09  |  
   | GPR      | A     | 813,400   | 813,400   |

6. (c) Minority student participation and retention grants  
   | Source  | Type | 2007-08  | 2008-09  |  
   | GPR      | A     | 589,200   | 589,200   |

7. (ce) Basic skills grants  
   | Source  | Type | 2007-08  | 2008-09  |  
   | GPR      | A     | −0−       | −0−       |

8. (ch) Health care education programs  
   | Source  | Type | 2007-08  | 2008-09  |  
   | GPR      | A     | 5,450,000 | 5,450,000 |

9. (d) State aid for technical colleges; statewide guide  
   | Source  | Type | 2007-08  | 2008-09  |  
   | GPR      | A     | 118,415,000 | 118,415,000 |

10. (dc) Incentive grants  
    | Source  | Type | 2007-08  | 2008-09  |  
    | GPR      | C     | 6,483,100 | 6,483,100 |

11. (dd) Farm training program tuition grants  
    | Source  | Type | 2007-08  | 2008-09  |  
    | GPR      | A     | 143,200   | 143,200   |

12. (de) Services for handicapped students; local assistance  
    | Source  | Type | 2007-08  | 2008-09  |  
    | GPR      | A     | 382,000   | 382,000   |

13. (dm) Aid for special collegiate transfer programs  
    | Source  | Type | 2007-08  | 2008-09  |  
    | GPR      | A     | 1,073,700 | 1,073,700 |

14. (e) Technical college instructor occupational competency program  
    | Source  | Type | 2007-08  | 2008-09  |  
    | GPR      | A     | 68,100    | 68,100    |

15. (ef) School-to-work programs for children at risk  
    | Source  | Type | 2007-08  | 2008-09  |  
    | GPR      | A     | 285,000   | 285,000   |
### SENATE BILL 1

#### STATUTE, AGENCY AND PURPOSE

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<td>5</td>
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<td>Truck driver training</td>
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<td>(kd) Transfer of Indian gaming receipts; work-based learning programs</td>
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(1) PROGRAM TOTALS

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<th>2008-09</th>
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<td>(33,392,500)</td>
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<td>SERVICE</td>
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<td>-0-</td>
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(2) EDUCATIONAL APPROVAL BOARD

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<td>(g) Proprietary school programs</td>
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<td>(gm) Student protection</td>
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<td>(i) Closed schools; preservation of student records</td>
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### Environmental Resources

#### 20.320 Environmental improvement program

1. **Clean water fund program operations**

2. **Environmental aids — clean water**

3. **Principal repayment and interest — clean water fund**

### Tables

#### (2) Program Totals

<table>
<thead>
<tr>
<th>Source Type</th>
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<td>Program Revenue</td>
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#### 20.292 Department Totals

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<tr>
<td>General Purpose Revenues</td>
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<td>143,152,500</td>
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<tr>
<td>Program Revenue</td>
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<td>Federal</td>
<td>(33,392,500)</td>
<td>(33,392,500)</td>
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<td>Other</td>
<td>(1,753,100)</td>
<td>(1,753,100)</td>
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<td>Other</td>
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<td>Total—All Sources</td>
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### Education

#### Functional Area Totals

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<td>Federal</td>
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<td>Other</td>
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<td>Service</td>
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<tr>
<td>(r) Clean water fund program</td>
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<tr>
<td>repayment of revenue obligations</td>
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<td>(s) Clean water fund program financial assistance</td>
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<td>(sm) Land recycling loan program financial assistance</td>
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<td>(t) Principal repayment and interest — clean water fund program bonds</td>
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<td>(u) Principal repay. &amp; interest — clean water fd. prog. rev. obligation repay.</td>
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<td>(x) Clean water fund program financial assistance; federal</td>
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<td>(y) Clean water fund program federal financial hardship assistance</td>
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(1) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 42,127,000 | 46,675,500 |
| SEgregated FUNDS | 6,000,000 | 6,000,000 |
| FEDERAL | (-0-) | (-0-) |
| OTHER | (6,000,000) | (6,000,000) |
| TOTAL—ALL SOURCES | 48,127,000 | 52,675,500 |

(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS

| (c) Principal repayment and interest — safe drinking water loan program | GPR  | S    | 2,765,800 | 3,015,000 |
| (s) Safe drinking water loan programs financial assistance | SEG  | S    | -0-     | -0-     |
### Statute, Agency and Purpose

<table>
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<td>7</td>
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<td>Control of land development and use in the Lower Wisconsin State Riverway</td>
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### Statute, Agency and Purpose

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#### (1) Program Totals

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#### (2) Air and Waste

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### STATUTE, AGENCY AND PURPOSE

| 1 | (my) General program operations — environmental fund; federal funds SEG−F C | 979,900 | 979,900 |

### (2) PROGRAM TOTALS

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<tr>
<td>FEDERAL</td>
<td></td>
<td>(979,900)</td>
<td>(979,900)</td>
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<tr>
<td>OTHER</td>
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<td>(11,359,100)</td>
<td>(11,372,800)</td>
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<td>TOTAL−ALL SOURCES</td>
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<td>40,628,500</td>
<td>39,699,500</td>
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### (3) ENFORCEMENT AND SCIENCE

<p>| 4 | (ad) Law enforcement − car killed deer; general fund GPR A | 514,600 | 514,600 |
| 5 | (ak) Law enforcement − snowmobile enforcement and safety training; service funds PR−S A | 1,196,900 | 1,204,800 |
| 6 | (aq) Law enforcement — snowmobile enforcement and safety training SEG A | 5,900 | 1,400 |
| 7 | (ar) Law enforcement — boat enforcement and safety training SEG A | 2,680,800 | 2,876,700 |
| 8 | (as) Law enforcement — all-terrain vehicle enforcement SEG A | 1,270,500 | 1,267,500 |
| 9 | (at) Education and safety programs SEG C | 341,000 | 341,000 |
| 10 | (aw) Law enforcement — car kill deer SEG A | 514,600 | 514,600 |
| 11 | (ax) Law enforcement − water resources enforcement SEG A | 422,600 | 206,200 |</p>
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<th>TYPE</th>
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<th>2008-09</th>
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<td>2  (bL) Operator certification — fees</td>
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<td>A</td>
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<td>3  (dg) Environmental impact —</td>
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<td>consultant services; printing and</td>
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<td>postage costs</td>
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<td>4  (dh) Environmental impact — power</td>
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<td>5  (di) Environmental consulting costs — federal power projects</td>
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<td>6  (fj) Environmental quality — laboratory certification</td>
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<td>C</td>
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<td>contributions</td>
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<td>9  (mi) General program operations — private and public sources</td>
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<td>1 (mr) Recycling; enforcement and research</td>
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<td>6 (my) General program operations — federal funds</td>
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(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES 3,756,200 3,756,200
PROGRAM REVENUE 4,466,900 4,528,100
FEDERAL (531,500) (531,500)
OTHER (1,329,400) (1,332,500)
SERVICE (2,606,000) (2,664,100)
SEGREGATED FUNDS 34,175,700 34,000,300
FEDERAL (6,544,300) (6,544,300)
OTHER (27,631,400) (27,456,000)
TOTAL—ALL SOURCES 42,398,800 42,284,600

(4) WATER

14 (af) Water resources – remedial action GPR | C | 142,500 | 142,500 |
15 (ag) Water resources – pollution credits PR | C | –0– | –0– |
16 (ah) Water resources – Great Lakes protection fund PR | C | 229,000 | 229,000 |
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<td>91,900</td>
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<td>B</td>
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<td>C</td>
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<td>Watershed management</td>
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<td>2,120,400</td>
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<td>Drinking water and groundwater</td>
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<td>4,433,700</td>
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<td>(mt) General program operations–environmental improvement programs; state funds</td>
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<td>(mw) Petroleum inspection fund</td>
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### Senate Bill 1

#### Statute, Agency and Purpose

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<td>(mx) General program operations − clean water fund program; federal funds</td>
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#### Conservation Aids

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<td>GPR A</td>
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<td>(ar) Resource aids − county conservation aids</td>
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### STATUTE, AGENCY AND PURPOSE

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#### (5) PROGRAM TOTALS

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#### (6) ENVIRONMENTAL AIDS

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<td>(as) Environmental aids — invasive aquatic species</td>
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<td>(bj) Environmental aids — waste reduction and recycling grants and gifts</td>
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<td>(bu) Financial assistance for responsible units</td>
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### Section 177

#### Senate Bill 1

**Statute, Agency and Purpose**

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<td>2</td>
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<td>Groundwater mitigation and local assistance</td>
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<td>3</td>
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<td>Brownfields revolving loan funds administered for other entity</td>
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(6) **Program Totals**

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(7) Debt Service and Development
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<td>(ag) Land acquisition - principal repayment and interest</td>
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<td>(ca) Principal repayment and interest - nonpoint source grants</td>
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### Statute, Agency and Purpose

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### STATUTE, AGENCY AND PURPOSE

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#### (8) PROGRAM TOTALS

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#### (9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS

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(9) Program Totals

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2,037,0 Department Totals

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### Section 177

#### Senate Bill 1

**Statute, Agency and Purpose**  
**Source** | **Type** | **2007-08** | **2008-09**
---|---|---|---
FEDERAL | | (47,524,800) | (47,524,800)
OTHER | | (305,689,000) | (309,737,400)
SERVICE | | (-0-) | (-0-)
**TOTAL~ALL SOURCES** | | 572,898,400 | 579,636,500

1. **20.373 Fox river navigational system authority**

2. (1) **Initial costs**

3. (g) Administration, operation, repair, and rehabilitation  
   PR C -0- -0-

4. (r) Establishment and operation  
   SEG C 126,700 126,700

  **20.373 Department Totals**

  | **20.373 Department Totals** | | | |
  | **Program Revenue** | -0- | -0- |
  | **Other** | (-0-) | (-0-) |
  | **Segregated Funds** | 126,700 | 126,700 |
  | **Other** | (126,700) | (126,700) |
  | **Total~All Sources** | 126,700 | 126,700 |

6. **20.375 Lower Fox River remediation authority**

7. (1) **Initial costs**

8. (a) Initial costs  
   GPR B 100,000 -0-

  **20.375 Department Totals**

  | **20.375 Department Totals** | | | |
  | **General Purpose Revenues** | 100,000 | -0- |
  | **Total~All Sources** | 100,000 | -0- |

9. **20.380 Tourism, department of**

10. (1) **Tourism development and promotion**

11. (a) General program operations  
    GPR A 3,573,100 3,578,500

12. (b) Tourism marketing; general purpose revenue  
    GPR A -0- -0-

13. (g) Gifts, grants and proceeds  
    PR C 6,200 6,200
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## Statute, Agency and Purpose

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### (1) Program Totals

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### (2) Program Totals

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<td>Segregated Funds</td>
<td>717,300</td>
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</table>
### Human Relations and Resources

1. **20.410 Corrections, department of**

2. (1) **Adult correctional services**

3. (a) General program operations
   - Source: GPR
   - Type: A
   - 2007-08: 663,044,400
   - 2008-09: 666,080,000

4. (aa) Institutional repair and maintenance
   - Source: GPR
   - Type: A
   - 2007-08: 4,201,300
   - 2008-09: 4,201,300

5. (ab) Corrections contracts and agreements
   - Source: GPR
   - Type: A
   - 2007-08: 24,829,500
   - 2008-09: 17,367,400

6. (b) Services for community corrections
   - Source: GPR
   - Type: A
   - 2007-08: 127,684,700
   - 2008-09: 130,630,500

### Environmental Resources

**FUNCTIONAL AREA TOTALS**

- **GENERAL PURPOSE REVENUES**
  - 2007-08: 201,566,800
  - 2008-09: 211,252,400

- **PROGRAM REVENUE**
  - 2007-08: 76,180,500
  - 2008-09: 73,887,700

- **FEDERAL**
  - 2007-08: 26,199,500
  - 2008-09: 26,031,000

- **OTHER**
  - 2007-08: 26,637,700
  - 2008-09: 24,454,400

- **SERVICE**
  - 2007-08: 23,343,300
  - 2008-09: 23,402,300

- **SEGREGATED FUNDS**
  - 2007-08: 362,456,900
  - 2008-09: 366,532,900

- **FEDERAL**
  - 2007-08: 47,524,800
  - 2008-09: 47,524,800

- **OTHER**
  - 2007-08: 314,932,100
  - 2008-09: 319,008,100

- **SERVICE**
  - 2007-08: (−0−)
  - 2008-09: (−0−)

- **LOCAL**
  - 2007-08: (−0−)
  - 2008-09: (−0−)

- **TOTAL-ALL SOURCES**
  - 2007-08: 640,204,200
  - 2008-09: 651,673,000
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<th>Statute, Agency and Purpose</th>
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<th>Type</th>
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<td>(gc) Sex offender honesty testing</td>
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<td>(gr) Home detention services</td>
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<td>(gt) Telephone company commissions</td>
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<td>A</td>
<td>1,116,300</td>
<td>1,116,300</td>
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<td>(h) Administration of restitution</td>
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<td>821,900</td>
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<tr>
<td>(i) Gifts and grants</td>
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<td>33,400</td>
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<td>382,500</td>
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<td>(kc) Correctional institution enterprises; inmate activities and employment</td>
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<td>386,500</td>
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<td>2,516,900</td>
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<td>C</td>
<td>1,442,100</td>
<td>1,442,100</td>
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<td>294,400</td>
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(1) PROGRAM TOTALS

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<tr>
<th></th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL PURPOSE REVENUES</td>
<td>956,909,000</td>
<td>957,874,900</td>
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<td>PROGRAM REVENUE</td>
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<td>73,650,600</td>
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<td>FEDERAL</td>
<td>(2,559,900)</td>
<td>(2,559,900)</td>
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<td>OTHER</td>
<td>(19,914,800)</td>
<td>(20,117,000)</td>
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<tr>
<td>SERVICE</td>
<td>(50,479,700)</td>
<td>(50,973,700)</td>
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<td>294,400</td>
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<td>Statute, Agency and Purpose</td>
<td>Source</td>
<td>Type</td>
</tr>
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<tr>
<td><strong>1</strong> (2) Parole Commission</td>
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<tr>
<td><strong>2</strong> (a) General program operations</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td><strong>3</strong> (3) Juvenile Correctional Services</td>
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<td></td>
</tr>
<tr>
<td><strong>4</strong> (a) General program operations</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td><strong>5</strong> (ba) Mendota juvenile treatment center</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td><strong>6</strong> (c) Reimbursement claims of counties containing juvenile corr facilities</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td><strong>7</strong> (cd) Community youth and family aids</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td><strong>8</strong> (cg) Serious juvenile offenders</td>
<td>GPR</td>
<td>B</td>
</tr>
<tr>
<td><strong>9</strong> (e) Principal repayment and interest</td>
<td>GPR</td>
<td>S</td>
</tr>
<tr>
<td><strong>10</strong> (f) Community intervention program</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td><strong>11</strong> (hm) Juvenile correctional services</td>
<td>PR</td>
<td>A</td>
</tr>
<tr>
<td><strong>12</strong> (ho) Juvenile residential aftercare</td>
<td>PR</td>
<td>A</td>
</tr>
<tr>
<td><strong>13</strong> (hr) Juvenile corrective sanctions program</td>
<td>PR</td>
<td>A</td>
</tr>
<tr>
<td><strong>14</strong> (i) Gifts and grants</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td><strong>15</strong> (j) State-owned housing maintenance</td>
<td>PR</td>
<td>A</td>
</tr>
<tr>
<td><strong>16</strong> (jr) Institutional operations and charges</td>
<td>PR</td>
<td>A</td>
</tr>
<tr>
<td>STATUTE, AGENCY AND PURPOSE</td>
<td>SOURCE</td>
<td>TYPE</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>--------</td>
<td>------</td>
</tr>
<tr>
<td>(ko) Interagency programs; community youth and family aids</td>
<td>PR-S</td>
<td>C</td>
</tr>
<tr>
<td>(kx) Interagency and intra-agency programs</td>
<td>PR-S</td>
<td>C</td>
</tr>
<tr>
<td>(ky) Interagency and intra-agency aids</td>
<td>PR-S</td>
<td>C</td>
</tr>
<tr>
<td>(n) Federal program operations</td>
<td>PR-F</td>
<td>C</td>
</tr>
</tbody>
</table>

(3) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 123,437,000 | 126,452,600 |
| PROGRAM REVENUE | 68,923,700 | 69,707,900 |
| FEDERAL | (30,000) | (30,000) |
| OTHER | (64,742,300) | (65,526,500) |
| SERVICE | (4,151,400) | (4,151,400) |
| TOTAL-ALL SOURCES | 192,360,700 | 196,160,500 |

20.410 DEPARTMENT TOTALS

| GENERAL PURPOSE REVENUES | 1,081,488,900 | 1,085,470,500 |
| PROGRAM REVENUE | 141,878,100 | 143,358,500 |
| FEDERAL | (2,589,900) | (2,589,900) |
| OTHER | (84,657,100) | (85,643,500) |
| SERVICE | (54,631,100) | (55,125,100) |
| SEGREGATED FUNDS | 295,800 | 294,400 |
| OTHER | (295,800) | (294,400) |
| TOTAL-ALL SOURCES | 1,223,662,800 | 1,229,123,400 |

20.425 Employment relations commission

<table>
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<tr>
<th>(1) LABOR RELATIONS</th>
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<tbody>
<tr>
<td>(a) General program operations</td>
</tr>
<tr>
<td>(i) Fees, collective bargaining training, publications, and appeals</td>
</tr>
</tbody>
</table>

20.425 DEPARTMENT TOTALS

| GENERAL PURPOSE REVENUES | 2,587,600 | 2,587,600 |
| PROGRAM REVENUE | 558,100 | 598,000 |
| OTHER | (558,100) | (598,000) |
| TOTAL-ALL SOURCES | 3,145,700 | 3,185,600 |
## 20.432 Board on aging and long-term care

### (1) Identification of the needs of the aged and disabled

<table>
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<tr>
<th>Source</th>
<th>Type</th>
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<th>2008-09</th>
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<tr>
<td>GPR</td>
<td>A</td>
<td>1,034,700</td>
<td>1,071,900</td>
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<tr>
<td>PR</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>PR-S</td>
<td>C</td>
<td>916,500</td>
<td>928,300</td>
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<tr>
<td>PR-S</td>
<td>A</td>
<td>425,900</td>
<td>434,900</td>
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<tr>
<td>PR-F</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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### 20.432 Department Totals

- **General Purpose Revenues**: 1,034,700 / 1,071,900
- **Program Revenue**: 1,342,400 / 1,363,200
- **Federal**: (-0-) / (-0-)
- **Other**: (-0-) / (-0-)
- **Service**: (1,342,400) / (1,363,200)
- **Total—All Sources**: 2,377,100 / 2,435,100

## 20.433 Child abuse and neglect prevention board

### (1) Prevention of child abuse and neglect

<table>
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<tr>
<th>Source</th>
<th>Type</th>
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<tr>
<td>GPR</td>
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<td>990,400</td>
<td>1,129,700</td>
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<tr>
<td>PR</td>
<td>A</td>
<td>442,400</td>
<td>442,400</td>
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<tr>
<td>PR</td>
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<td>PR-F</td>
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### Section 177

**Statute, Agency and Purpose**

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#### 20.433 Department Totals

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<td>(1,922,400)</td>
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<td>3,692,600</td>
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3 **20.434 Board for people with developmental disabilities**

4 **(1) Developmental Disabilities**

5 (a) General program operations | GPR A | 15,000 | 15,000 |

6 (mc) Federal project operations | PR–F A | 724,600 | 724,600 |

7 (md) Federal project aids | PR–F A | 543,600 | 543,600 |

#### 20.434 Department Totals

<table>
<thead>
<tr>
<th>Source</th>
<th>Type</th>
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<th>2008-09</th>
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<td>PROGRAM REVENUE</td>
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<td>FEDERAL</td>
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<td>TOTAL–ALL SOURCES</td>
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8 **20.435 Health and family services, department of**

9 **(1) Public health services planning, regulation and delivery; state operations**

10 (a) General program operations | GPR A | 5,700,200 | 5,650,200 |

11 (ac) Child abuse and neglect prevention technical assistance | GPR A | −0− | −0− |

12 (c) Public health emergency quarantine costs | GPR S | −0− | −0− |
### Section 177

#### Statute, Agency and Purpose

<table>
<thead>
<tr>
<th></th>
<th>Statute, Agency and Purpose</th>
<th>Source</th>
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<th>2008-09</th>
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<td>86,200</td>
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<td>20,010,900</td>
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<td>(mc) Block grant operations</td>
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<td>5,743,600</td>
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<td>247,500</td>
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(1) Program Totals

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(2) Disability and Elder Services; Institutions
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(2) PROGRAM TOTALS

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(3) CHILDREN AND FAMILY SERVICES

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<td>Statute, Agency and Purpose</td>
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<td>C</td>
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### STATUTE, AGENCY AND PURPOSE

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#### (3) PROGRAM TOTALS

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#### (4) HEALTH SERVICES PLANNING, REG & DELIVERY, HLTH CARE FIN; OTHER SUPPORT PGMS

1. **General program operations**
   - GPR A
   - 2007-08: 10,415,700
   - 2008-09: 10,426,000

2. **Medical assistance program**
   - Benefits
   - GPR B
   - 2007-08: 1,606,690,800
   - 2008-09: 1,663,438,600

3. **MA food stamp program admin; contracts costs; ins reports & res**
   - GPR B
   - 2007-08: 37,224,500
   - 2008-09: 35,467,100

4. **Income maintenance**
   - GPR B
   - 2007-08: 37,206,300
   - 2008-09: 37,356,300

5. **Relief block grants to counties**
   - GPR A
   - 2007-08: 400,000
   - 2008-09: 400,000

6. **Prescription drug assistance for elderly; aids**
   - GPR B
   - 2007-08: 54,229,100
   - 2008-09: 61,826,600

7. **Facility appeals mechanism**
   - GPR A
   - 2007-08: 546,800
   - 2008-09: 546,800

8. **Disease aids**
   - GPR B
   - 2007-08: 4,641,600
   - 2008-09: 5,080,000

9. **Family care benefit; cost sharing**
   - PR C
   - 2007-08: –0–
   - 2008-09: –0–

10. **Health services regulation**
    - PR A
    - 2007-08: 21,200
    - 2008-09: 21,200

11. **General or medical assistance medical program; intergovernmental transfer**
    - PR A
    - 2007-08: 6,799,400
    - 2008-09: 6,799,400

12. **Gifts and grants; health care financing**
    - PR C
    - 2007-08: 115,800
    - 2008-09: 115,800
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## Senate Bill 1

### Statute, Agency and Purpose

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### Program Totals

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### (5) Public Health Services Planning, Regulation & Delivery, AIDS & Local Assist

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(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES

PROGRAM REVENUE

FEDERAL

OTHER

SERVICE

TOTAL-ALL SOURCES

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<th>2007-08</th>
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<td>(462,700)</td>
<td>(522,700)</td>
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(6) DISABILITY AND ELDER SERVICES; STATE OPERATIONS NON-INSTITUTION

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<tr>
<td>(ee) Admin. exp. for state suppl to federal supplemental security income program</td>
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<td>(g) Nursing facility resident protection</td>
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<tr>
<td>(ga) Community-based residential facility monitoring and receivership ops</td>
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<tr>
<td>(gb) Alcohol and drug abuse initiatives</td>
<td>PR</td>
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<tr>
<td>(gc) Disabled children's long-term support waivers; state operations</td>
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<tr>
<td>(hs) Interpreter services for hearing impaired</td>
<td>PR</td>
</tr>
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<td>(hx) Services related to drivers, receipts</td>
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<td>(i) Gifts and grants</td>
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<tr>
<td>(jb) Fees for administrative services</td>
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<tr>
<td>(jm) Licensing and support services</td>
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<tr>
<td>(k) Nursing home monitoring and receivership operations</td>
<td>PR-S</td>
</tr>
<tr>
<td>(kx) Interagency and intra-agency programs</td>
<td>PR-S</td>
</tr>
<tr>
<td>(m) Federal project operations</td>
<td>PR-F</td>
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<tr>
<td>(mc) Federal block grant operations</td>
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<td>(n) Federal program operations</td>
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(6) PROGRAM TOTALS
GENERAL PURPOSE REVENUES
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16,571,700
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<td>TOTAL-ALL SOURCES</td>
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<td>6 (be) Mental health treatment services</td>
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(7) Program Totals

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(8) General Administration

<p>| General Program Operations | GPR | A | 13,254,600 | 12,905,300 |</p>
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<th>Source</th>
<th>Type</th>
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<th>2008-09</th>
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<tr>
<td>(i) Gifts and grants</td>
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<td>500</td>
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<tr>
<td>(k) Administrative and support services</td>
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<td>PR-F</td>
<td>C</td>
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<td>-0-</td>
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<tr>
<td>(mb) Income augmentation services receipts</td>
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(8) Program Totals

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20.435 Department Totals

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1. **20.437 Children and families, department of**

2. (1) **CHILDREN AND FAMILY SERVICES**

3. (a) General program operations GPR A -0- 5,758,100

4. (b) Children and family aids payments GPR A -0- 28,959,400

5. (bc) Grants for children’s community programs GPR A -0- 797,200

6. (bm) Services for children and families GPR S -0- -0-

7. (cd) Domestic abuse grants GPR A -0- 7,150,800

8. (cf) Foster, trtmt foster & family-operated group home parent ins & liability GPR A -0- 60,000

9. (cw) Milwaukee child welfare services; general program operations GPR A -0- 12,418,700

10. (cx) Milwaukee child welfare services; aids GPR A -0- 42,248,900

11. (da) Child welfare program enhancement plan; aids GPR A -0- 1,117,200

12. (dd) State foster care and adoption services GPR A -0- 50,408,800

13. (dg) State adoption information exchange and state adoption center GPR A -0- 171,300
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**(2) Program Totals**

| **General Purpose Revenues** | -0- | 157,132,100 |
| **Program Revenues** | -0- | 580,439,100 |
| **Federal** | -0- | (521,030,000) |
| **Other** | -0- | (17,120,500) |
| **Service** | -0- | (42,288,600) |
| **Segregated Funds** | -0- | 9,896,600 |
| **Other** | -0- | (9,896,600) |
| **Total – All Sources** | -0- | 747,467,800 |

**General Administration**

| (a) General program operations | GPR | A | -0- | 349,300 |
| (fr) Skills enhancement grants | GPR | A | -0- | -0- |
| (i) Gifts and grants | PR | C | -0- | -0- |
| (jb) Fees for administrative services | PR | C | -0- | -0- |
### STATUTE, AGENCY AND PURPOSE

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### TOTALS

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### 20.437 DEPARTMENT TOTALS

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#### 1 20.440 Health and educational facilities authority

##### 2 (1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES

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##### 4 (2) RURAL HOSPITAL LOAN GUARANTEE

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#### 6 20.445 Workforce development, department of

##### 7 (1) WORKFORCE DEVELOPMENT

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<td>opportunity demonstration projects</td>
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<td>(e) Local youth apprenticeship grants</td>
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<td>7 (sm) Uninsured employers fund; payments</td>
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1 (1) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 9,711,000 | 10,727,700 |
| PROGRAM REVENUE | 206,618,000 | 216,504,100 |
| FEDERAL | (147,917,400) | (153,866,200) |
| OTHER | (6,832,300) | (6,832,300) |
| SERVICE | (51,868,300) | (55,805,600) |
| SEGREGATED FUNDS | 20,798,300 | 20,807,000 |
| OTHER | (20,798,300) | (20,807,000) |
| TOTAL−ALL SOURCES | 237,127,300 | 248,038,800 |

17 (2) REVIEW COMMISSION

18 (a) General program operations, review commission | GPR | A | 202,900 | 202,900 |
### Section 177

**Senate Bill 1**

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#### (2) Program Totals

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### (3) PROGRAM TOTALS

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### (5) VOCATIONAL REHABILITATION SERVICES

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<th>(a) General program operations; purchased services for clients</th>
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<td>(gp) Contractual services aids</td>
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### Section 177

#### Statute, Agency and Purpose

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#### Program Totals

- **General Purpose Revenues**: 14,582,900/15,060,100
- **Program Revenue**: 59,962,900/61,726,000
- **Federal**: (58,992,900)/(60,756,000)
- **Other**: (333,000)/(333,000)
- **Service**: (637,000)/(637,000)
- **Total—All Sources**: 74,545,800/76,786,100

#### Department Totals

- **General Purpose Revenues**: 180,174,500/25,990,700
- **Program Revenue**: 788,157,400/281,279,600
- **Federal**: (667,427,400)/(216,941,200)
- **Other**: (21,151,800)/(7,895,800)
- **Service**: (99,578,200)/(56,442,600)
- **Segregated Funds**: 31,370,500/20,807,000
- **Other**: (31,370,500)/(20,807,000)
- **Total—All Sources**: 999,702,400/328,077,300

### 20.445

#### Justice, department of

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(1) PROGRAM TOT ALS

| GENERAL PURPOSE REVENUES | 15,133,300 | 15,155,400 |
| PROGRAM REVENUE           | 2,634,000  | 2,670,600  |
| FEDERAL                   | (1,025,000) | (1,061,600) |
| OTHER                     | (0)        | (0)        |
| SERVICE                   | (1,609,000) | (1,609,000) |
| TOTAL—ALL SOURCES         | 17,767,300 | 17,826,000 |

(2) LAW ENFORCEMENT SERVICES

<p>| 10 (a) General program operations          | GPR    | A    | 16,444,700 | 16,510,300 |
| 11 (am) Officer training reimbursement     | GPR    | S    | 134,000    | 134,000    |
| 12 (b) Investigations and operations       | GPR    | A    | 0          | 0          |
| 13 (c) Crime laboratory equipment           | GPR    | B    | 0          | 0          |
| 14 (cm) Computers for transaction          |        |      |            |            |
| information for management of              |        |      |            |            |
| enforcement system                         | GPR    | A    | 0          | 0          |
| 15 (dg) Weed and seed and law              |        |      |            |            |
| enforcement technology                     | GPR    | A    | 0          | 0          |</p>
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<th>Type</th>
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<th>2008-09</th>
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<td>laboratories, and genetic evidence activities</td>
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(2) PROGRAM TOTALS

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### Senate Bill 1

**Statute, Agency and Purpose**

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1. **Administrative Services**

2. (a) General program operations GPR A 4,905,900 4,905,900

3. (g) Gifts, grants and proceeds PR C (0) (0)

4. (k) Interagency and intra-agency assistance PR-S A (0) (0)

5. (m) Federal aid, state operations PR-F C (0) (0)

6. (pz) Indirect cost reimbursements PR-F C 216,100 216,100

### Program Totals

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8. **Victims and Witnesses**

9. (a) General program operations GPR A 1,117,700 1,117,700

10. (b) Awards for victims of crimes GPR A 1,258,000 1,258,000

11. (c) Reimbursement for victim and witness services GPR A 1,422,200 1,422,200

13. (d) Reimbursement for forensic examinations GPR S 50,000 50,000
## Section 177

**Senate Bill 1**

### Statute, Agency and Purpose

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<td>Federal aid, state operations relating to crime victim services</td>
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### Program Totals

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## 20.465 Military affairs, department of

### 20.455 Department Totals

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**General Purpose Revenues**
- Federal: 40,715,800
- Other: 40,803,500
- Segregated Funds: 348,000
- Total: 90,943,900

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<tr>
<th>Program Revenue</th>
<th>Type</th>
<th>2007-08</th>
<th>2008-09</th>
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<td></td>
<td>49,880,100</td>
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<tr>
<td>Federal</td>
<td></td>
<td>(8,182,100)</td>
<td>(8,398,700)</td>
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<tr>
<td>Other</td>
<td></td>
<td>(24,087,100)</td>
<td>(23,781,500)</td>
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### 2007-2008 Legislature

#### 1

**20.465 Military affairs, department of**

#### 2

**(1) National Guard Operations**

#### 3

**(a) General program operations**
- General Program Revenues: GPR A 5,438,600

#### 4

**(b) Repair and maintenance**
- General Program Revenues: GPR A 815,100

#### 5

**(c) Public emergencies**
- General Program Revenues: GPR S 48,500

#### 6

**(d) Principal repayment and interest**
- General Program Revenues: GPR S 4,173,400

#### 7

**(e) State service flags**
- General Program Revenues: GPR A 400

#### 8

**(f) Energy costs**
- General Program Revenues: GPR A 2,834,300

#### 9

**(g) Military property**
- Program Revenues: PR A 582,000

#### 10

**(h) Intergovernmental services**
- Program Revenues: PR A 281,600

#### 11

**(i) Distance learning centers**
- Program Revenues: PR C -0-

#### 12

**(k) Armory store operations**
- Program Revenues: PR−S A 244,200

#### 13

**(km) Agency services**
- Program Revenues: PR−S A 68,300

#### 14

**(Li) Gifts and grants**
- Program Revenues: PR−F C -0-

#### 15

**(m) Federal aid**
- Program Revenues: PR−F C 27,309,700
## Statute, Agency and Purpose

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<tr>
<th>Section</th>
<th>Description</th>
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<td>(pz) Indirect cost reimbursements</td>
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### (1) Program Totals

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<td>OTHER</td>
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<td>SERVICE</td>
<td>(312,500)</td>
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<td>TOTAL-ALL SOURCES</td>
<td>42,313,500</td>
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### (2) Guard Members' Benefits

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<td>(a) Tuition grants</td>
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### (2) Program Totals

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### (3) Emergency Management Services

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<td>5</td>
<td>(a) General program operations</td>
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<td>A</td>
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<td>6</td>
<td>(b) Major disaster assistance</td>
<td>GPR</td>
<td>A</td>
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<td>7</td>
<td>(dd) Regional emergency response teams</td>
<td>GPR</td>
<td>A</td>
<td>1,400,000</td>
<td>1,400,000</td>
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<td>9</td>
<td>(dp) Emergency response equipment</td>
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<td>A</td>
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<td>468,000</td>
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<td>10</td>
<td>(dr) Emergency response supplement</td>
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<td>11</td>
<td>(dt) Emergency response training</td>
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<td>B</td>
<td>64,900</td>
<td>64,900</td>
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<td>12</td>
<td>(e) Disaster recovery aid; public health emergency quarantine costs</td>
<td>GPR</td>
<td>S</td>
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<td>1,347,000</td>
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<td>14</td>
<td>(f) Civil air patrol aids</td>
<td>GPR</td>
<td>A</td>
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<td>15</td>
<td>(g) Program services</td>
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<td>1,201,400</td>
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<td>16</td>
<td>(h) Interstate emergency assistance</td>
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## Section 177

### Senate Bill 1

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<td>(i) Emergency planning and reporting; administration</td>
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<td>918,400</td>
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<td>(j) Division of emergency management; gifts and grants</td>
<td>PR</td>
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<td>-0-</td>
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<tr>
<td>(jm) Division of emergency management; emergency planning grants</td>
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<td>834,700</td>
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<td>(jt) Regional emergency response reimbursement</td>
<td>PR</td>
<td>C</td>
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<td>-0-</td>
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<tr>
<td>(m) Federal aid, state operations</td>
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<td>(n) Federal aid, local assistance</td>
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<td>C</td>
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<td>(o) Federal aid, individuals and organizations</td>
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<td>C</td>
<td>1,926,400</td>
<td>1,926,400</td>
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<tr>
<td>(r) Division of emergency management; petroleum inspection fund</td>
<td>SEG</td>
<td>A</td>
<td>466,800</td>
<td>466,800</td>
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<tr>
<td>(s) Major disaster assistance; petroleum inspection fund</td>
<td>SEG</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(t) Emergency response training - environmental fund</td>
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<td>B</td>
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### Program Totals

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<td>General Purpose Revenues</td>
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<tr>
<td>Program Revenue</td>
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<td>Federal</td>
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<td>(18,347,000)</td>
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<tr>
<td>Other</td>
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<td>(2,954,500)</td>
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<td>Segregated Funds</td>
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<td>Other</td>
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<td>Total--All Sources</td>
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<td>25,896,800</td>
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<td>STATUTE, AGENCY AND PURPOSE</td>
<td>SOURCE</td>
<td>TYPE</td>
</tr>
<tr>
<td>-----------------------------</td>
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</tr>
<tr>
<td>1  (4) National Guard youth programs</td>
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<td></td>
</tr>
<tr>
<td>2  (b) Badger challenge program</td>
<td>GPR</td>
<td>A</td>
</tr>
<tr>
<td>3  (g) Program fees</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>4  (h) Gifts and grants</td>
<td>PR</td>
<td>C</td>
</tr>
<tr>
<td>5  (k) Interagency assistance; Badger challenge program</td>
<td>PR-S</td>
<td>C</td>
</tr>
<tr>
<td>6  (ka) Youth challenge program; public instruction funds</td>
<td>PR-S</td>
<td>C</td>
</tr>
<tr>
<td>7  (m) Federal aid</td>
<td>PR-F</td>
<td>C</td>
</tr>
</tbody>
</table>

(4) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | -0- | -0- |
| PROGRAM REVENUE | 3,905,100 | 3,905,100 |
| FEDERAL | (2,350,500) | (2,350,500) |
| OTHER | (-0-) | (-0-) |
| SERVICE | (1,554,600) | (1,554,600) |
| TOTAL—ALL SOURCES | 3,905,100 | 3,905,100 |

20.465 DEPARTMENT TOTALS

| GENERAL PURPOSE REVENUES | 20,939,900 | 21,375,700 |
| PROGRAM REVENUE | 54,209,800 | 54,209,800 |
| FEDERAL | (48,524,600) | (48,524,600) |
| OTHER | (3,818,100) | (3,818,100) |
| SERVICE | (1,867,100) | (1,867,100) |
| SEGREGATED FUNDS | 474,500 | 474,500 |
| OTHER | (474,500) | (474,500) |
| TOTAL—ALL SOURCES | 75,624,200 | 76,060,000 |

10 20.475 District attorneys

11  (1) District attorneys

12  (d) Salaries and fringe benefits | GPR | A | 42,729,400 | 42,859,700 |
13  (h) Gifts and grants | PR | C | 2,897,200 | 2,870,500 |
14  (i) Other employees | PR | A | 302,000 | 311,100 |
SECTION 177

20.485 Veterans affairs, department of

1. Veterans homes

(a) Aids to indigent veterans
   GPR A 104,300 208,700

(b) General fund supplement to institutional operations
   GPR B -0- -0-

(d) Cemetery maintenance and beautification
   GPR A 24,900 24,900

(e) Lease rental payments
   GPR S -0- -0-

(f) Principal repayment and interest
   GPR S 1,547,500 1,536,400

(g) Home exchange
   PR A 475,500 475,500

(gd) Veterans home cemetery operations
   PR C 12,000 12,000

(gk) Institutional operations
   PR A 76,496,600 77,670,700

(go) Self-amortizing facilities; principal repayment and interest
   PR S 1,578,800 2,522,600
STATUTE, AGENCY AND PURPOSE | SOURCE | TYPE | 2007-08 | 2008-09
--- | --- | --- | --- | ---
1 | (h) Gifts and bequests | PR | C | 214,700 | 214,700
2 | (hm) Gifts and grants | PR | C | -0- | -0-
3 | (i) State-owned housing maintenance | PR | A | 65,700 | 65,700
4 | (j) Geriatric program receipts | PR | C | 192,600 | 192,600
5 | (m) Federal aid; care at veterans homes | PR-F | C | -0- | -0-
6 | (mj) Federal aid; geriatric unit | PR-F | C | -0- | -0-
7 | (mn) Federal projects | PR-F | C | 25,000 | 25,000
8 | (q) Assistance to indigent residents | SEG | A | 208,700 | 208,700
9 | (t) Veterans homes member accounts | SEG | C | -0- | -0-
10 | (u) Rentals; improvements; equipment; land acquisition | SEG | A | -0- | -0-

(1) PROGRAM TOTALS

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<th>DESCRIPTION</th>
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<th>2008-09</th>
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<td>(25,000)</td>
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<td>(81,153,800)</td>
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<td>208,700</td>
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<td>OTHER</td>
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<td>(208,700)</td>
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<td>TOTAL—ALL SOURCES</td>
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(2) LOANS AND AIDS TO VETERANS

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<td>75,000</td>
<td>50,000</td>
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</table>
| (b) Housing vouchers for homeless veterans | GPR | A | -0- | -0-
| (c) Operation of Wisconsin veterans museum | GPR | A | 443,000 | 450,000 |
| (d) Veterans memorials at the Highground | GPR | C | -0- | -0- |

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<th>STATUTE, AGENCY AND PURPOSE</th>
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<th>TYPE</th>
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<th>2008-09</th>
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<td>(db) General fund supplement to veterans trust fund</td>
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<td>(dm) Military funeral honors</td>
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<td>(g) Consumer reporting agency fees</td>
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<td>75,800</td>
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<td>-0--0-</td>
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<td>(mn) Federal projects; museum acquisitions and operations</td>
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<td>(tf) Veterans tuition reimbursement program</td>
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<td>1,798,100</td>
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<td>(tm) Facilities</td>
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<td>(u) Administration of loans and aids to veterans</td>
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<td>5,404,300</td>
<td>5,368,300</td>
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<td>(vm) Assistance to needy veterans</td>
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<td>918,000</td>
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<td>(vo) Veterans of World War I</td>
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<td>A</td>
<td>2,500</td>
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<tr>
<td>(vp) Assistance to needy veterans</td>
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<td>C</td>
<td>−0−</td>
<td>−0−</td>
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<td>A</td>
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<td>(vx) County grants</td>
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<td>302,600</td>
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<td>10,000</td>
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<td>1,550,700</td>
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<td>1,081,100</td>
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<td>(yg) Acquisition of 1981 revenue bond mortgages</td>
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<td>10,150,000</td>
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<td>(yo) Debt payment</td>
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<td>−0−</td>
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<tr>
<td>(z) Gifts</td>
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<td>−0−</td>
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<td>(zm) Museum gifts and bequests</td>
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<td>C</td>
<td>−0−</td>
<td>−0−</td>
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(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES 904,000 721,000
PROGRAM REVENUE 649,400 649,400
### Statute, Agency and Purpose

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1. **(3) Self-amortizing mortgage loans for veterans**

2. **(b) Self insurance**
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3. **(e) General program deficiency**
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4. **(q) Foreclosure loss payments**
   - Source: SEG
   - Type: C
   - 2007-08: 801,000
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5. **(r) Funded reserves**
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6. **(rm) Other reserves**
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   - 2008-09: −0−

7. **(s) General program operations**
   - Source: SEG
   - Type: A
   - 2007-08: 3,509,100
   - 2008-09: 3,455,100

8. **(sm) County grants**
   - Source: SEG
   - Type: A
   - 2007-08: 469,000
   - 2008-09: 450,900

9. **(t) Debt service**
   - Source: SEG
   - Type: C
   - 2007-08: 33,378,900
   - 2008-09: 32,059,200

10. **(v) Revenue obligation repayment**
    - Source: SEG
    - Type: C
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    - 2008-09: −0−

11. **(w) Revenue obligation funding**
    - Source: SEG
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12. **(wd) Loan-servicing administration**
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13. **(wg) Escrow payments, recoveries, and refunds**
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(3) **Program Totals**

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16. **(4) Veterans memorial cemeteries**
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### 20.485 DEPARTMENT TOTALS

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12 **20.490 Wisconsin housing and economic development authority**

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General Executive Functions

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4. (b) Midwest interstate low-level radioactive waste compact; loan

5. from gen. fund
   
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6. (br) Appropriation obligations

7. repayment
   
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8. (cm) Comprehensive planning grants;

9. general purpose revenue
   
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10. (cn) Comprehensive planning;

11. administrative support
   
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12. (e) Indigent civil legal services
   
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13. (fo) Federal resource acquisition

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### Statute, Agency and Purpose

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#### (1) Program Totals

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#### (2) Program Totals

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#### (3) Utility Public Benefits and Air Quality Improvement

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### Statute, Agency and Purpose

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### (4) Program Totals

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### (5) Facilities Management
### Section 177

#### Senate Bill 1

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<td>(g) Principal repayment, interest and rebates; parking</td>
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#### (5) Program Totals

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#### (6) Office of Justice Assistance

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<td>(d) Youth diversion</td>
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<td>(ku) Grants for substance abuse treatment programs for criminal offenders</td>
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(6) PROGRAM TOTALS

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<td>1 (8) DIVISION OF GAMING</td>
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<td>2 (am) Interest on racing and bingo</td>
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<tr>
<td>3 moneys</td>
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<td>S</td>
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<td>4 (g) General program operations; racing</td>
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<tr>
<td>5 (h) General program operations; Indian gaming</td>
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<td>7 (hm) Indian gaming receipts</td>
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<tr>
<td>8 (j) General program operations; raffles and crane games</td>
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<tr>
<td>10 (jm) General program operations; bingo</td>
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(8) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | 12,300 | 12,300 |
| PROGRAM REVENUE          | 3,919,600 | 3,888,900 |
| OTHER                    | (3,919,600) | (3,888,900) |
| TOTAL-ALL SOURCES        | 3,931,900 | 3,901,200 |

20.505 DEPARTMENT TOTALS

| GENERAL PURPOSE REVENUES | 210,193,200 | 221,012,400 |
| PROGRAM REVENUE          | 507,987,600 | 511,715,800 |
|   FEDERAL                | (166,960,200) | (166,205,400) |
|   OTHER                  | (43,790,800) | (45,442,000) |
|   SERVICE                | (297,236,600) | (300,068,400) |
| SEGREGATED FUNDS          | 51,456,600 | 51,456,600 |
|   FEDERAL                | (−0−) | (−0−) |
|   OTHER                  | (51,456,600) | (51,456,600) |
|   SERVICE                | (−0−) | (−0−) |
| TOTAL-ALL SOURCES        | 769,637,400 | 784,184,800 |

20.507 Board of commissioners of public lands

| (1) TRUST LANDS AND INVESTMENTS |
| (h) Trust lands and investments - general program operations | PR-S | A | 1,504,400 | 1,504,400 |
### Statute, Agency and Purpose

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<tr>
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<th>Type</th>
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<th>2008-09</th>
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<tr>
<td>(j) Payments to American Indian tribes or bands for raised sunken logs</td>
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<tr>
<td>(mg) Federal aid — flood control</td>
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#### 20.507 Department Totals

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<td>Service Revenue</td>
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#### 20.511 Government Accountability Board

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<th>2008-09</th>
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<tbody>
<tr>
<td>General Program Operations; general purpose revenue</td>
<td>GPR B</td>
<td>2,285,700</td>
<td>2,287,800</td>
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<tr>
<td>Election-related cost reimbursement</td>
<td>GPR S</td>
<td>80,000</td>
<td>160,000</td>
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<td>Investigations</td>
<td>GPR S</td>
<td>32,800</td>
<td>32,800</td>
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<td>Training of chief inspectors</td>
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<td>-0-</td>
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<tr>
<td>Voting system transitional assistance</td>
<td>GPR B</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>Election administration transfer</td>
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<tr>
<td>Recount fees</td>
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<td>Materials and services</td>
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### STATUTE, AGENCY AND PURPOSE

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#### 20.511 DEPARTMENT TOTALS

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### 20.515 Employee trust funds, department of

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<td>(u) Employee-funded reimbursement account plan</td>
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### 1) PROGRAM TOTALS

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### 2) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM

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<td>(b) Grants for program administration</td>
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<td>(g) Private employer health care coverage plan</td>
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### 2) PROGRAM TOTALS

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### 20.515 DEPARTMENT TOTALS

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<td>(-0-)</td>
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### Section 177

**Statute, Agency and Purpose**

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1. **20.525 Office of the governor**

2. **(1) Executive Administration**

3. (a) General program operations  
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<th>Source</th>
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4. (b) Contingent fund  
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(1) **Program Totals**

- **General Purpose Revenues**: 3,799,400  
- **Program Revenue**: −0−  
- **Federal**: −0−  
- **Other**: −0−  
- **Total—All Sources**: 3,799,400

11. **(2) Executive Residence**

12. (a) General program operations  
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(2) **Program Totals**

- **General Purpose Revenues**: 248,400  
- **Total—All Sources**: 248,400

20.525 **Department Totals**

- **General Purpose Revenues**: 4,047,800  
- **Program Revenue**: −0−  
- **Federal**: −0−  
- **Other**: −0−  
- **Total—All Sources**: 4,047,800
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<td>20.536 DEPARTMENT TOTALS</td>
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### 20.545 Department Totals

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### 20.550 Public Defender Board

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<td>(b) Appellate representation</td>
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<td>(c) Trial representation</td>
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<td>1 (f) Transcripts, discovery and interpreters</td>
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<td>2 (fb) Payments from clients; administrative costs</td>
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<td>3 (g) Gifts, grants and proceeds</td>
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<td>4 (h) Contractual agreements</td>
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<td>5 (i) Tuition payments</td>
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<td>6 (kj) Conferences and training</td>
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<td>7 (L) Private bar and inv. reimbursement; payments for legal representation</td>
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<td>C</td>
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20.550 DEPARTMENT TOTALS

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20.566 Revenue, department of

(1) COLLECTION OF TAXES

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<td>47,670,400</td>
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<tr>
<td>Administration of county sales and use taxes</td>
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<td>Cigarette tax stamps</td>
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<td>Business tax registration</td>
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<td>(gd) Administration of special district taxes</td>
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<td>466,500</td>
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<td>143,700</td>
<td>143,700</td>
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<td>(gf) Administration of resort tax</td>
<td>PR</td>
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<td>(gg) Administration of local taxes</td>
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<td>195,500</td>
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<td>-0-</td>
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<td>(gm) Administration of tax on controlled substances dealers</td>
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<td>(h) Debt collection</td>
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<td>(m) Federal funds; state operations</td>
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<td>C</td>
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<td>SEG</td>
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## Senate Bill 1

**STATUTE, AGENCY AND PURPOSE** | **SOURCE** | **TYPE** | **2007-08** | **2008-09**
--- | --- | --- | --- | ---
1 | (qm) Administration of rental vehicle fee | SEG | A | 37,900 | 37,900
2 | (r) Administration of dry cleaner fees | SEG | A | 60,200 | 60,200
3 | (s) Petroleum inspection fee collection | SEG | A | 163,700 | 163,700
4 | (u) Motor fuel tax administration | SEG | A | 1,489,600 | 1,489,600

(1) **PROGRAM TOTALS**

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<td>(57,400)</td>
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(2) **STATE AND LOCAL FINANCE**

6 | (a) General program operations | GPR | A | 8,619,000 | 8,619,000 |
7 | (b) Integrated property assessment system technology | GPR | A | -0- | 2,700,000 |
9 | (g) County assessment studies | PR | C | -0- | -0- |
10 | (gb) Manufacturing property assessment | PR | A | 1,309,100 | 1,309,100 |
12 | (gi) Municipal finance report compliance | PR | A | 40,300 | 40,300 |
14 | (h) Reassessments | PR | A | 635,500 | 635,500 |
15 | (hi) Wisconsin property assessment manual | PR | A | 90,300 | -0- |
17 | (hm) Administration of tax incremental financing program | PR | C | 125,000 | 125,300 |
### Statute, Agency and Purpose

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<td>(m)</td>
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#### (2) Program Totals

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#### (3) Program Totals

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<tr>
<td>SERVICE</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
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</table>

1. (7) INVESTMENT AND LOCAL IMPACT FUND

2. (e) Investment and local impact fund

3. supplement GPR A -0- -0-

4. (g) Investment and local impact fund

5. administrative expenses PR A -0- -0-

6. (n) Federal mining revenue PR-F C -0- -0-

7. (v) Investment and local impact fund SEG C -0- -0-

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUES -0- -0-

PROGRAM REVENUE -0- -0-

FEDERAL (-0-) (-0-)

OTHER (-0-) (-0-)

SEGREGATED FUNDS -0- -0-

OTHER (-0-) (-0-)

TOTAL-ALL SOURCES -0- -0-

8. (8) LOTTERY

9. (q) General program operations SEG A 22,074,700 22,074,700

10. (r) Retailer compensation SEG S 35,531,700 36,053,700

11. (s) Prizes SEG S -0- -0-

12. (v) Vendor fees SEG S 12,819,100 13,002,000

(8) PROGRAM TOTALS

SEGREGATED FUNDS 70,425,500 71,130,400

OTHER (70,425,500) (71,130,400)

TOTAL-ALL SOURCES 70,425,500 71,130,400

20.566 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES 87,701,800 90,401,800

PROGRAM REVENUE 14,400,700 14,401,100

FEDERAL (-0-) (-0-)

OTHER (11,070,600) (11,071,000)

SERVICE (3,330,100) (3,330,100)
### SENATE BILL 1

#### 20.575 Secretary of state

1. **Managing and operating program responsibilities**

<table>
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<tr>
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<td>(ka) Agency collections</td>
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#### 20.575 Department totals

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<td>(759,400)</td>
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#### 20.585 Treasurer, state

2. **Custodian of state funds**

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<td>(e) Unclaimed property; contingency appropriation</td>
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<tr>
<td>(g) Processing services</td>
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<td>(h) Training conferences</td>
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<tr>
<td>(i) Gifts and grants</td>
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<tr>
<td>(j) Unclaimed property; claims</td>
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<tr>
<td>(k) Unclaimed property; administrative expenses</td>
<td>5,111,400</td>
<td>5,113,000</td>
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<tr>
<td>(kb) General program operations</td>
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#### (1) Program totals

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<tr>
<td>PROGRAM REVENUE</td>
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<td>5,380,500</td>
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<td>COLLEGE TUITION PREPAYMENT PROGRAM</td>
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<td>(q) Pymt of qualified higher ed expenses &amp; refunds; college tuition &amp; exp pgm</td>
<td>SEG</td>
<td>S</td>
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<td>(s) Administrative expenses; college tuition and expenses program</td>
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<tr>
<td>(t) Pymt of qualified higher ed exp &amp; refunds; college savings pgm trust fund</td>
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<tr>
<td>(tm) Administrative expenses; college savings program trust fund</td>
<td>SEG</td>
<td>A</td>
</tr>
<tr>
<td>(u) Pymt of qualified higher ed exp &amp; ref; college svgs pgm bank dep trust fund</td>
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<td>S</td>
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<tr>
<td>(um) Administrative expenses; college savings program bank deposit trust fund</td>
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<td>(v) Pymt of qualified higher ed exp &amp; ref; college svgs pgm CU dep trust fund</td>
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<td>S</td>
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<td>(vm) Administrative expenses; college svgs pgm credit union deposit trust fund</td>
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### (2) PROGRAM TOTALS

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<td>OTHER</td>
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### 20.585 DEPARTMENT TOTALS

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<td>5,380,500</td>
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<tr>
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<td></td>
<td>(5,378,900)</td>
<td>(5,380,500)</td>
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<tr>
<td>SERVICE</td>
<td></td>
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<td>(−0−)</td>
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<tr>
<td>SEGREGATED FUNDS</td>
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<td>882,100</td>
<td>882,100</td>
</tr>
<tr>
<td>OTHER</td>
<td></td>
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<td>(882,100)</td>
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**General Executive Functions**

**FUNCTIONAL AREA TOTALS**

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<tr>
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<tr>
<td>FEDERAL</td>
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<td>(167,012,900)</td>
<td>(166,258,100)</td>
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<td>OTHER</td>
<td></td>
<td>(86,426,300)</td>
<td>(88,100,800)</td>
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<td>SERVICE</td>
<td></td>
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<td>(1,477,800)</td>
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<td>(151,707,100)</td>
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<td>(−0−)</td>
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<tr>
<td>LOCAL</td>
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<td>(−0−)</td>
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### Judicial

#### 20.625 Circuit courts

1. **(1) Court operations**

2. **(a) Circuit courts**  GPR  S  64,254,300  64,484,500

3. **(as) Violent crime court costs**  GPR  A  −0−  −0−

4. **(b) Permanent reserve judges**  GPR  A  −0−  −0−

5. **(c) Court interpreter fees**  GPR  A  1,060,600  1,125,100

6. **(d) Circuit court support payments**  GPR  B  18,739,600  18,739,600

7. **(e) Guardian ad litem costs**  GPR  A  4,738,500  4,738,500
### Section 177

**Statute, Agency and Purpose**

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**20.625 Department Totals**

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<td>-0-</td>
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<td>Federal</td>
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<td>(-0-)</td>
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**20.660 Court of Appeals**

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<tr>
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<tbody>
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<td>2</td>
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<tr>
<td>3</td>
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<th>Amount</th>
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<td>PR-F</td>
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**20.660 Department Totals**

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
<th>Amount</th>
<th>Amount</th>
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<tbody>
<tr>
<td>General Purpose Revenues</td>
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<td>9,527,000</td>
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<tr>
<td>Program Revenue</td>
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<td>-0-</td>
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<tr>
<td>Federal</td>
<td></td>
<td>(-0-)</td>
<td>(-0-)</td>
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<td>Total-All Sources</td>
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**20.665 Judicial Commission**

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<td>20.665 Judicial commission</td>
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<td>(cm) Contractual agreements</td>
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**20.665 Department Totals**

<table>
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<th>Amount</th>
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<tr>
<td>Federal</td>
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**20.670 Judicial Council**

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<tr>
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<tr>
<td>12</td>
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<td>Advisory Services to the Courts and the Legislature</td>
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### Statute, Agency and Purpose

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<td><strong>20.670 DEPARTMENT TOTALS</strong></td>
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<tr>
<td>GENERAL PURPOSE REVENUES</td>
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<td>-0-</td>
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<tr>
<td>FEDERAL</td>
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<td>111,200</td>
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#### 20.680 Supreme court

1. **Supreme court proceedings**

2. (1) General program operations GPR S 4,865,900 4,865,900

3. (m) Federal aid PR-F C -0- -0-

#### (1) PROGRAM TOTALS

<table>
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<td>4,865,900</td>
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5. **Director of state courts**

6. (a) General program operations GPR A 7,039,100 7,067,300

7. (b) Judicial planning and research GPR A -0- -0-

8. (g) Gifts and grants PR C -0- -0-

9. (ga) Court commissioner training PR C 60,600 60,600

10. (gc) Court interpreter training and certification PR C 45,600 45,600

12. (h) Materials and services PR C 60,900 60,900

13. (i) Municipal judge training PR C 146,400 146,400

14. (j) Court information systems PR C 9,310,800 9,343,000

15. (kc) Central services PR-S A 220,500 220,500

16. (ke) Interagency and intra-agency automation assistance PR-S C -0- -0-
### Section 177
#### Senate Bill 1

<table>
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<th>Source</th>
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<td>2  (qm) Mediation fund</td>
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#### Program Totals

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<td>(886,900)</td>
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#### Bar Examiners and Responsibility

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<tr>
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#### Law Library

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<tr>
<td>General Purpose Revenues</td>
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#### 20680 Department Totals

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<td>14,652,600</td>
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**FUNCTIONAL AREA TOTALS**

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### Legislative

1. **20.765 Legislature**

2. (1) **Enactment of State Laws**

3. (a) General program operations —

4. assembly

   **GPR S**

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<tr>
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<tr>
<td>24,089,400</td>
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5. (b) General program operations —

6. senate

   **GPR S**

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7. (d) Legislative documents

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8. (e) Gifts, grants and bequests

   **PR C**

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<td><strong>OTHER</strong></td>
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9. (3) **Service agencies and national associations**

10. (a) Revisor of statutes bureau

    **GPR B**

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|---------|---------|
| 925,400 | −0−     |
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<td>2 (c) Legislative audit bureau</td>
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<td>3 (d) Legislative fiscal bureau</td>
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<td>3,715,700</td>
<td>3,715,700</td>
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<td>4 (e) Joint leg council, exec of functions, research, dev studies, comm assist</td>
<td>GPR</td>
<td>B</td>
<td>3,743,000</td>
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<td>7 (ec) Joint legislative council; contractual studies</td>
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<td>8 (em) Legislative technology services bureau</td>
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<td>10 (f) Joint committee on legislative organization</td>
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<td>12 (fa) Membership in national associations</td>
<td>GPR</td>
<td>S</td>
<td>201,400</td>
<td>214,700</td>
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<td>14 (g) Gifts and grants to service agencies</td>
<td>PR</td>
<td>C</td>
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<td>15 (ka) Audit bureau reimbursable audits</td>
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<td>A</td>
<td>1,946,800</td>
<td>1,959,700</td>
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<td>16 (m) Federal aid</td>
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(3) PROGRAM TOTALS

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<td>23,050,000</td>
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<td>PROGRAM REVENUE</td>
<td>1,946,800</td>
<td>1,959,700</td>
</tr>
<tr>
<td>FEDERAL</td>
<td>(-0-)</td>
<td>(-0-)</td>
</tr>
<tr>
<td>OTHER</td>
<td>(-0-)</td>
<td>(-0-)</td>
</tr>
<tr>
<td>SERVICE</td>
<td>(1,946,800)</td>
<td>(1,959,700)</td>
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<tr>
<td>TOTAL--ALL SOURCES</td>
<td>25,809,100</td>
<td>25,009,700</td>
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(4) CAPITOL OFFICES RELOCATION

| (a) | Capitol offices relocation costs | GPR | B | -0- | -0- |
(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES  -0-   -0-
TOTAL-ALL SOURCES  -0-   -0-

20.765 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES  69,177,300  68,365,000
PROGRAM REVENUE  1,946,800  1,959,700
  FEDERAL  -0-  -0-
  OTHER  -0-  -0-
  SERVICE  (1,946,800)  (1,959,700)
TOTAL-ALL SOURCES  71,124,100  70,324,700

Legislative

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES  69,177,300  68,365,000
PROGRAM REVENUE  1,946,800  1,959,700
  FEDERAL  -0-  -0-
  OTHER  -0-  -0-
  SERVICE  (1,946,800)  (1,959,700)
SEgregated FUNDS  -0-  -0-
  FEDERAL  -0-  -0-
  OTHER  -0-  -0-
  SERVICE  -0-  -0-
  LOCAL  -0-  -0-
TOTAL-ALL SOURCES  71,124,100  70,324,700

General Appropriations

1. 20.835 Shared revenue and tax relief

2. (1) Shared revenue payments

3.  (b) Small municipalities shared revenue

4.  GPR  S  -0-  -0-

5.  (c) Expenditure restraint program account

6.  GPR  S  58,145,700  58,145,700

7.  (d) Shared revenue account

8.  GPR  S  32,900,000  33,400,000

9.  (db) County and municipal aid account

10.  GPR  S  854,703,200  854,703,200

11.  (dm) Public utility distribution account

12.  GPR  S  6,242,400  6,242,400
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<th>TYPE</th>
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<th>2008-09</th>
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<tr>
<td>(e) State aid; tax exempt property</td>
<td>GPR</td>
<td>S</td>
<td>65,067,600</td>
<td>65,300,000</td>
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<td>(f) County mandate relief account</td>
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<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(t) Shared revenue and municipal aid account; transportation fund</td>
<td>SEG</td>
<td>A</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(u) Shared revenue and municipal aid account; utility public benefits fund</td>
<td>SEG</td>
<td>A</td>
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(1) PROGRAM TOTALS

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<th>2008-09</th>
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<tbody>
<tr>
<td>TOTAL-ALL SOURCES</td>
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<td>1,017,791,300</td>
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| | TAX RELIEF | |
|---------------------------|------------|---------------------------|---------|
| (b) Claim of right credit | GPR | S | -0- | -0- |
| (bm) Film production services credit | GPR | S | 250,000 | 750,000 |
| (bn) Dairy manufacturing facility investment credit | GPR | A | 600,000 | 700,000 |
| (br) Interest payments on overassessments of manufacturing property | GPR | S | 10,000 | 10,000 |
| (c) Homestead tax credit | GPR | S | 113,300,000 | 109,000,000 |
| (ci) Development zones investment credit | GPR | S | -0- | -0- |
| (cL) Development zones location credit | GPR | S | -0- | -0- |
| (cm) Development zones jobs credit | GPR | S | -0- | -0- |
| (cn) Development zones sales tax credit | GPR | S | -0- | -0- |
## Senate Bill 1

### Section 177

#### Senate Bill 1

<table>
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<td>1 (co) Enterprise zone jobs credit</td>
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<td>1,625,000</td>
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<tr>
<td>2 (d) Farmers' drought property tax</td>
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<td>3 (d) Farmland preservation credit</td>
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<td>4 (dn) Farmland tax relief credit</td>
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<td>5 (em) Veterans and surviving spouses property tax credit</td>
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<td>1,000,000</td>
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<td>6 (ep) Cigarette and tobacco product tax refunds</td>
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<td>S</td>
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<td>7 (f) Earned income tax credit</td>
<td>GPR</td>
<td>S</td>
<td>70,974,600</td>
<td>90,735,800</td>
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<td>8 (ka) Farmland tax relief credit; Indian gaming receipts</td>
<td>PR-S</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>9 (kf) Earned income tax credit; temporary assistance for needy families</td>
<td>PR-S</td>
<td>A</td>
<td>21,125,400</td>
<td>6,664,200</td>
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<tr>
<td>10 (q) Farmland tax relief credit</td>
<td>SEG</td>
<td>S</td>
<td>15,000,000</td>
<td>15,000,000</td>
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<tr>
<td>11 (r) Earned income tax credit; utility public benefits</td>
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<td>A</td>
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### Program Totals

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<td>Service</td>
<td>(21,125,400)</td>
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<td>Segregated Funds</td>
<td>15,000,000</td>
<td>15,000,000</td>
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<td>Other</td>
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### (3) State Property Tax Credits
### Senate Bill 1

#### Statute, Agency and Purpose

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<td>2</td>
<td>(q)</td>
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#### (3) Program Totals

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<td>Segregated Funds</td>
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<td>Other</td>
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#### (4) County and Local Taxes

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<td>8</td>
<td>(gb)</td>
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<td>9</td>
<td>(gd)</td>
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#### (5) Payments in Lieu of Taxes

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<td>21,998,800</td>
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#### 20.835 Department Totals

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<tr>
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<td></td>
</tr>
<tr>
<td>OTHER</td>
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<tr>
<td>TOTAL--ALL SOURCES</td>
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20.855 Miscellaneous appropriations

1. Cash management expenses; interest and principal repayment
2. 
3. (a) Obligation on operating notes GPR S 11,725,000 11,200,000
4. (b) Operating note expenses GPR S 350,000 350,000
5. (bm) Payment of cancelled drafts GPR S 1,275,000 1,275,000
6. (c) Interest payments to program revenue accounts GPR S −0− −0−
7. (d) Interest payments to segregated funds GPR S −0− −0−
8. (dm) Interest reimbursements to federal government GPR S −0− −0−
9. (e) Interest on prorated local government payments GPR S −0− −0−
10. (gm) Payment of cancelled drafts; program revenues PR S −0− −0−
11. (q) Redemption of operating notes SEG S −0− −0−
12. (r) Interest payments to general fund SEG S −0− −0−
13. (rm) Payment of cancelled drafts; segregated revenues SEG S −0− −0−

(1) Program totals

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<tr>
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<tr>
<td>TOTAL-ALL SOURCES</td>
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</table>

1. (3) **CAPITOL RENOVATION EXPENSES**

2. (b) Capitol restoration and relocation

3. planning                      GPR B  -0-  -0-

4. (c) Historically significant furnishings  GPR B  -0-  -0-

(3) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES       | -0-    | -0-  |         |         |
| TOTAL-ALL SOURCES              | -0-    | -0-  |         |         |

5. (4) **TAX, ASSISTANCE AND TRANSFER PAYMENTS**

6. (a) Interest on overpayment of taxes  GPR S  4,500,000  2,500,000

7. (am) Great Lakes protection fund

8. contribution                  GPR C  -0-    -0-

9. (b) Election campaign payments  GPR S  242,900  242,900

10. (bm) Oil pipeline terminal tax

11. distribution                 GPR S  1,071,400  1,188,500

12. (c) Minnesota income tax reciprocity  GPR S  68,559,500  74,044,300

13. (ca) Minnesota income tax reciprocity

14. bench mark                   GPR A  -0-    -0-

15. (cm) Illinois income tax reciprocity  GPR S  37,108,700  39,706,300

16. (cn) Illinois income tax reciprocity

17. bench mark                   GPR A  -0-    -0-
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<tr>
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<th>SOURCE</th>
<th>TYPE</th>
<th>2007-08</th>
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<tr>
<td>(co) Illinois income tax reciprocity, 1998</td>
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<tr>
<td>and 1999</td>
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<td></td>
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<tr>
<td>(e) Transfer to conservation fund; land acquisition reimbursement</td>
<td>GPR</td>
<td>S</td>
<td>233,800</td>
<td>153,300</td>
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<td>(f) Supplemental title fee matching</td>
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<td>(fm) Transfer to the transportation fund; hub facility exemptions</td>
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<td>1,953,300</td>
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<td>(fs) Aid for certain local purchases and projects</td>
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<td>(q) Terminal tax distribution</td>
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<td>S</td>
<td>1,380,200</td>
<td>1,458,900</td>
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<td>(r) Petroleum allowance</td>
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<td>600,000</td>
<td>600,000</td>
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<td>(s) Transfer to conservation fund; motorboat formula</td>
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<td>S</td>
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(4) PROGRAM TOTALS

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<td>133,413,600</td>
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<td>28,513,500</td>
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<td>(28,215,500)</td>
<td>(28,513,500)</td>
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(5) STATE HOUSING AUTHORITY RESERVE FUND
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<tr>
<td>1 (a) Enhancement of credit of authority</td>
<td>GPR</td>
<td>A</td>
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<td>-0-</td>
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<tr>
<td>2 (b) Debt</td>
<td>GPR</td>
<td>A</td>
<td>-0-</td>
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</table>

**5 PROGRAM TOTALS**

- **GENERAL PURPOSE REVENUES**: -0- -0-
- **TOTAL-ALL SOURCES**: -0- -0-

| 3 (6) MISCELLANEOUS RECEIPTS | |
| 4 (g) Gifts and grants | PR | C | -0- | -0- |
| 5 (h) Vehicle and aircraft receipts | PR | A | -0- | -0- |
| 6 (i) Miscellaneous program revenue | PR | A | -0- | -0- |
| 7 (j) Custody accounts | PR | C | -0- | -0- |
| 8 (k) Aids to individuals and organizations | PR-S | C | -0- | -0- |
| 9 (ka) Local assistance | PR-S | C | -0- | -0- |
| 10 (m) Federal aid | PR-F | C | -0- | -0- |
| 11 (pz) Indirect cost reimbursements | PR-F | C | -0- | -0- |

**6 PROGRAM TOTALS**

- **PROGRAM REVENUE**: -0- -0-
- **FEDERAL**: (-0-) (-0-)
- **OTHER**: (-0-) (-0-)
- **SERVICE**: (-0-) (-0-)
- **TOTAL-ALL SOURCES**: -0- -0-

| 13 (8) MARQUETTE UNIVERSITY | |
| 14 (a) Dental clinic and educ facility; principal repayment, interest & rebates | GPR | S | 997,800 | 992,800 |

**8 PROGRAM TOTALS**

- **GENERAL PURPOSE REVENUES**: 997,800 992,800
- **TOTAL-ALL SOURCES**: 997,800 992,800
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<tr>
<td>(9) STATE CAPITOL RENOVATION AND RESTORATION</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(a) South wing renovation and</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>restoration</td>
<td>GPR</td>
<td>C</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(9) PROGRAM TOTALS</td>
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<td>TOTAL-ALL SOURCES</td>
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20.855 DEPARTMENT TOTALS

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<td>OTHER</td>
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<td>(-0-)</td>
</tr>
<tr>
<td>SERVICE</td>
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<td>(-0-)</td>
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<tr>
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<td>(28,513,500)</td>
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20.865 Program supplements

<p>| | | | | |</p>
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<tr>
<td>(1) EMPLOYEE COMPENSATION AND SUPPORT</td>
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<td>(a) Judgments, legal expenses and</td>
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<tr>
<td>worker’s compensation benefits          GPR</td>
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<tr>
<td>(ci) Nonrepresented university system</td>
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<tr>
<td>faculty and academic pay</td>
<td></td>
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<tr>
<td>adjustments                               GPR</td>
<td>S</td>
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<td>-0-</td>
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<tr>
<td>(cj) Pay adjustments for certain</td>
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<tr>
<td>university employees                     GPR</td>
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<td>(fm) Risk management</td>
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<td>-0-</td>
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<tr>
<td>(fn) Physically handicapped</td>
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<tr>
<td>(i) Compensation and related adjustments; program revenues</td>
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<td>-0-</td>
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<tr>
<td>(ic) Nonrepresented university system faculty and academic pay adjustments</td>
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<td>-0-</td>
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<tr>
<td>(j) Employer fringe benefit costs; program revenues</td>
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<tr>
<td>(jm) Additional biweekly payroll; nonfederal program revenue</td>
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<td>-0-</td>
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<td>(js) Financial and procurement services; program revenues</td>
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<td>-0-</td>
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<td>(kr) Risk management; program revenues</td>
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<td>(Ln) Physically handicapped supplements; program revenues</td>
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<td>(m) Additional biweekly payroll; federal program revenues</td>
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<tr>
<td>(q) Judgments and legal expenses; segregated revenues</td>
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<td>-0-</td>
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<td>STATUTE, AGENCY AND PURPOSE</td>
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<td>adjustments; segregated revenues</td>
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<td>(t) Employer fringe benefit costs; segregated revenues</td>
<td>SEG</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(tm) Additional biweekly payroll; nonfederal segregated revenues</td>
<td>SEG</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(ts) Financial and procurement services; segregated revenues</td>
<td>SEG</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(ur) Risk management; segregated revenues</td>
<td>SEG</td>
<td>S</td>
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<td>-0-</td>
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<td>(vn) Physically handicapped supplements; segregated revenues</td>
<td>SEG</td>
<td>S</td>
<td>-0-</td>
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<tr>
<td>(x) Additional biweekly payroll; federal segregated revenues</td>
<td>SEG-F</td>
<td>S</td>
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(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES
PROGRAM REVENUE
  FEDERAL (-0-) (-0-)
  OTHER (-0-) (-0-)
  SERVICE (-0-) (-0-)
SEGREGATED FUNDS
  FEDERAL (-0-) (-0-)
  OTHER (-0-) (-0-)
TOTAL–ALL SOURCES

53,500 1,370,600

(2) STATE PROGRAMS AND FACILITIES

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### Section 177

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<td>GPR</td>
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<td>-0-</td>
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<tr>
<td>(am) Space management and child care</td>
<td>GPR</td>
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<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(d) State deposit fund</td>
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<td>-0-</td>
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<tr>
<td>(e) Maintenance of capitol and executive residence</td>
<td>GPR</td>
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<td>5,337,400</td>
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<td>-0-</td>
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<td>(gg) State-owned office rent supplements; program revenues</td>
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<td>(gm) Space management and child care; program revenues</td>
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<td>-0-</td>
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<tr>
<td>(i) Integrated business information system; program revenues</td>
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<td>-0-</td>
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<td>(j) State deposit fund; program revenues</td>
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<td>S</td>
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<td>-0-</td>
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<tr>
<td>(L) Data processing and telecommunications study; program revenues</td>
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<td>-0-</td>
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<tr>
<td>(qg) State-owned office rent supplements; segregated revenues</td>
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<td>-0-</td>
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<tr>
<td>(qm) Space management and child care; segregated revenues</td>
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<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<tr>
<td>(r) Integrated business information system; segregated revenues SEG-S</td>
<td>S</td>
<td>-0-</td>
<td>-0-</td>
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<td>(t) State deposit fund; segregated revenues</td>
<td>SEG</td>
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(2) PROGRAM TOTALS

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<tr>
<td>OTHER</td>
<td>(-0-)</td>
<td>(-0-)</td>
</tr>
<tr>
<td>SERVICE</td>
<td>(-0-)</td>
<td>(-0-)</td>
</tr>
<tr>
<td>SEGREGATED FUNDS</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>OTHER</td>
<td>(-0-)</td>
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<tr>
<td>TOTAL-ALL SOURCES</td>
<td>6,467,900</td>
<td>6,939,600</td>
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(3) TAXES AND SPECIAL CHARGES

| (a) Property taxes | GPR | S | -0- | -0- |
| (g) Property taxes; program revenues | PR | S | -0- | -0- |
| (i) Payments for municipal services; program revenues | PR | S | -0- | -0- |
| (q) Property taxes; segregated revenues SEG | S | -0- | -0- |
| (s) Payments for municipal services; segregated revenues SEG | S | -0- | -0- |

(3) PROGRAM TOTALS

| GENERAL PURPOSE REVENUES | -0- | -0- |
| PROGRAM REVENUE | -0- | -0- |
| OTHER | (-0-) | (-0-) |
### STATUTE, AGENCY AND PURPOSE

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1. **Joint Committee on Finance Supplemental Appropriations**

2. (a) General purpose revenue funds

3. general program supplementation | GPR | B | 6,510,500 | 10,578,300 |

4. (g) Program revenue funds general

5. program supplementation | PR  | S | -0-       | 2,352,800   |

6. (gm) Wisconsin advanced

7. telecommunications foundation

8. funds supplementation | PR  | C | -0-       | -0-         |

9. (k) Public assistance programs

10. supplementation | PR-S | C | -0-       | -0-         |

11. (m) Federal funds general program

12. supplementation | PR-F | C | -0-       | -0-         |

13. (u) Segregated funds general program

14. supplementation | SEG  | S | 2,487,900 | 235,000     |

---

**PROGRAM TOTALS**

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15. **Supplementation of PGM REV & PGM REV-SVC APPNS FROM PUBLIC EMP TRUST FUND**
### Section 177

#### Statute, Agency and Purpose

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#### (8) Program Totals

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### 20.865 Department Totals

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### Section 177

**Senator Bill 1**

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**3 Program Totals**

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14 (4) Capital Improvement Fund Interest Earnings

15 (q) Funding in lieu of borrowing | SEG    | C    | -0-     | -0-     |

16 (r) Interest on veterans obligations | SEG    | C    | -0-     | -0-     |

**4 Program Totals**

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17 (5) Services to Nonstate Governmental Units
# Senate Bill 1

## Statute, Agency and Purpose

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### Program Totals

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### Department Totals

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### Budget Stabilization Fund

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### Transfers

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### Program Totals

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### Department Totals

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**SECTION 178.** 20.115 (1) (d) of the statutes is repealed.

**SECTION 179.** 20.115 (1) (k) of the statutes is repealed.

**SECTION 179j.** 20.115 (1) (u) of the statutes is amended to read:

20.115 (1) (u) *Recyclable and nonrecyclable products regulation.* From the recycling and renewable energy fund, the amounts in the schedule for the implementation and enforcement of ss. 100.29, 100.295 and 100.33.

**SECTION 180.** 20.115 (2) (d) of the statutes is amended to read:

20.115 (2) (d) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of department facilities and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing this acquisition, construction, development,
enlargement, or improvement, and to make payments under an agreement or
ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 181. 20.115 (3) (title) of the statutes is amended to read:

20.115 (3) (title) MARKETING AGRICULTURAL DEVELOPMENT SERVICES.

SECTION 182. 20.115 (3) (g) of the statutes is amended to read:

20.115 (3) (g) Related services. The amounts in the schedule for the conduct of
authorized marketing agricultural development services. All moneys received from
authorized fees related to marketing agricultural development services shall be
credited to this appropriation account.

SECTION 183. 20.115 (3) (ja) of the statutes is amended to read:

20.115 (3) (ja) Marketing Agricultural development services and materials. All
moneys received from publication sales and service fees authorized by law that are
related to marketing agricultural development, for the publication of informational
materials and the provision of services related to marketing agricultural
development.

SECTION 183p. 20.115 (4) (am) of the statutes is created to read:

20.115 (4) (am) Buy local grants. Biennially, the amounts in the schedule for
buy local grants under s. 93.48.

SECTION 185. 20.115 (4) (d) of the statutes is repealed.

SECTION 185t. 20.115 (4) (qm) of the statutes is created to read:

20.115 (4) (qm) Grants for soybean crushing facilities. Biennially, from the
recycling fund, the amounts in the schedule for grants for soybean crushing facilities
under 2007 Wisconsin Act .... (this act), section 9103 (4u).

SECTION 186m. 20.115 (4) (s) of the statutes is created to read:
20.115 (4) (s) Grazing lands conservation. From the agrichemical management fund, the amounts in the schedule for grants for the Wisconsin grazing lands conservation initiative under s. 93.60.

Section 188. 20.115 (7) (b) of the statutes is amended to read:

20.115 (7) (b) Principal repayment and interest, conservation reserve enhancement. A sum sufficient to reimburse s. 20.866 (1) (u) for the principal and interest costs incurred in financing the conservation reserve enhancement program under s. 20.866 (2) (wf) and, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

Section 189. 20.115 (7) (d) of the statutes is repealed.

Section 190. 20.115 (7) (e) of the statutes is repealed.

Section 191. 20.115 (7) (f) of the statutes is amended to read:

20.115 (7) (f) Principal repayment and interest; soil and water. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in providing funds for soil and water resource management projects under s. 92.14 and, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

Section 192. 20.115 (7) (s) of the statutes is amended to read:

20.115 (7) (s) Principal repayment and interest; soil and water, environmental fund. From the environmental fund, the amounts in the schedule for the payment of principal and interest costs incurred in providing funds for soil and water resource
management projects under s. 92.14 and to make the payments determined by the
building commission under s. 13.488 (1) (m) that are attributable to the proceeds of
obligations incurred in financing those projects, and to make payments under an
agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 192e.** 20.115 (7) (t) of the statutes is created to read:

20.115 (7) (t) *International Crane Foundation funding.* From the agrichemical
management fund, the amounts in the schedule to provide funding to the
International Crane Foundation under 2007 Wisconsin Act .... (this act), section 9103
(2c).

**SECTION 192g.** 20.115 (7) (t) of the statutes, as created by 2007 Wisconsin Act
.... (this act), is repealed.

**SECTION 193.** 20.115 (7) (ue) of the statutes is repealed.

**SECTION 193h.** 20.115 (7) (va) of the statutes is amended to read:

20.115 (7) (va) *Clean sweep grants.* From the recycling and renewable energy
fund, the amounts in the schedule for chemical and container collection grants under
s. 93.55 and for household hazardous waste grants under s. 93.57.

**SECTION 194.** 20.115 (7) (wm) of the statutes is amended to read:

20.115 (7) (wm) *Agricultural chemical cleanup reimbursement.* From the
agricultural chemical cleanup fund, as a continuing appropriation, the amounts in
the schedule for reimbursement of corrective action costs under s. 94.73 and for
financial assistance to prevent pollution from agricultural chemicals under s. 94.74.

**SECTION 194n.** 20.143 (1) (br) of the statutes is repealed.

**SECTION 195.** 20.143 (1) (c) of the statutes is amended to read:

20.143 (1) (c) *Wisconsin development fund; grants, loans, reimbursements, and
assistance.* Biennially, the amounts in the schedule for grants under ss. 560.145,
560.16, 560.175, and 560.26; for grants and loans under ss. s. 560.275 (2), 560.62, 560.63, and 560.66; for loans under s. 560.147 and subch. V of ch. 560; for reimbursements under s. 560.167; for providing assistance under s. 560.06; for the costs specified in s. 560.607; for the loan under 1999 Wisconsin Act 9, section 9110 (4); for the grants under 1995 Wisconsin Act 27, section 9116 (7gg), 1995 Wisconsin Act 119, section 2 (1), 1997 Wisconsin Act 27, section 9110 (6g), 1999 Wisconsin Act 9, section 9110 (5), and 2003 Wisconsin Act 33, section 9109 (1d) and (2q), and 2007 Wisconsin Act .... (this act), section 9108 (4u), (6c), (7c), (7f), (8c), (8i), and (9i); and for providing up to $100,000 annually for the continued development of a manufacturing and advanced technology training center in Racine. Of the amounts in the schedule, $50,000 shall be allocated in each of fiscal years 1997−98 and 1998−99 for providing the assistance under s. 560.06 (1). Notwithstanding s. 560.607, of the amounts in the schedule, $125,000 shall be allocated in each of 4 consecutive fiscal years, beginning with fiscal year 1998−99, for grants and loans under s. 560.62 (1) (a).

**SECTION 197f.** 20.143 (1) (hm) of the statutes is amended to read:

20.143 (1) (hm) **Certified capital companies.** All moneys received under subch. II of ch. 560 s. 560.29 for the cost of administering subch. II of ch. 560 s. 560.29. Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year the unencumbered balance in this appropriation account shall lapse to the general fund.

**SECTION 198.** 20.143 (1) (ie) of the statutes is amended to read:

560 except s. 560.65, and 1989 Wisconsin Act 336, section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m), 1989 Wisconsin Act 336, section 3015 (3gx), 1997 Wisconsin Act 27, section 9110 (7f), 1997 Wisconsin Act 310, section 2 (2d), and 1999 Wisconsin Act 9, section 9110 (4), and 2007 Wisconsin Act .... (this act), section 9108 (5x), to be used for grants and loans under s. 560.275 (2) and subch. V of ch. 560 except s. 560.65, for loans under s. 560.147, for grants under ss. 560.16 and 560.175, for assistance under s. 560.06 (2), for the loan under 1999 Wisconsin Act 9, section 9110 (4), and the loans under 2007 Wisconsin Act .... (this act), section 9108 (5x), for the grant under 2001 Wisconsin Act 16, section 9110 (7g), for the grants under 2003 Wisconsin Act 33, section 9109 (1d) and (2q), and for reimbursements under s. 560.167.

**SECTION 198f.** 20.143 (1) (if) of the statutes is repealed.

**SECTION 198g.** 20.143 (1) (r) of the statutes is repealed.

**SECTION 199j.** 20.143 (1) (tm) of the statutes is created to read:

20.143 (1) (tm) *Wisconsin development fund grants and loans; recycling and renewable energy fund.* Biennially, from the recycling and renewable energy fund, the amounts in the schedule for grants and loans under ss. 560.126 and 560.61 and for grants under 2007 Wisconsin Act .... (this act), section 9108 (4v).

**SECTION 199k.** 20.143 (1) (um) of the statutes is created to read:

20.143 (1) (um) *Wisconsin development fund, administration; recycling and renewable energy fund.* From the recycling and renewable energy fund, the amounts in the schedule for administering the programs under s. 560.126 and subch. V of ch. 560.

**SECTION 200m.** 20.143 (2) (gg) of the statutes is created to read:
20.143 (2) (gg) Housing program services; other entities. All moneys received from entities other than state agencies for housing program services, for the purpose of providing housing program services.

**SECTION 201.** 20.143 (2) (gm) of the statutes is created to read:

20.143 (2) (gm) Housing grants and loans; surplus transfer. Biennially, the amounts in the schedule for grants and loans under s. 560.9803, for grants under s. 560.9805, and for the grant under 2007 Wisconsin Act .... (this act), section 9108 (5i). All moneys received from the Wisconsin Housing and Economic Development Authority under s. 234.165 (3) (a) shall be credited to this appropriation account.

**SECTION 202.** 20.143 (2) (gm) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

**SECTION 202s.** 20.143 (2) (L) of the statutes is created to read:

20.143 (2) (L) Shelter for homeless and transitional housing grants; surplus transfer. Biennially, the amounts in the schedule for transitional housing grants under s. 560.9806 and for grants to agencies and shelter facilities for homeless individuals and families as provided under s. 560.9808. All moneys received from the Wisconsin Housing and Economic Development Authority under s. 234.165 (3) (b) shall be credited to this account.

**SECTION 202t.** 20.143 (2) (L) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

**SECTION 206e.** 20.143 (3) (j) of the statutes is amended to read:

20.143 (3) (j) Safety and building operations. The amounts in the schedule for the purposes of chs. 101, 145, and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m), and 236.335, for the purpose of transferring the amounts in the schedule under par. (kg) to the appropriation account under par. (kg), and for the purpose of transferring
the amounts in the schedule under par. (km) to the appropriation account under par. 
(km). All moneys received under ch. 145, ss. 101.177 (4) (a) 4., 101.178, 101.19, 
101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 101.973 (7), and 236.12 
(7), except moneys received under s. 101.9208 (2m), and all moneys transferred 
under 2005 Wisconsin Act 45, section 76 (6), shall be credited to this appropriation.

**SECTION 206f.** 20.143 (3) (kg) of the statutes is created to read:

20.143 (3) (kg) Construction career academy grant. Biennially, the amounts in 
the schedule for the purpose of the construction career academy grant program 
under s. 101.31. All moneys transferred from par. (j) to this appropriation shall be 
credited to this appropriation.

**SECTION 206g.** 20.143 (3) (km) of the statutes is created to read:

20.143 (3) (km) Crex Meadows youth conservation camp grant. Biennially, the 
amounts in the schedule for the purpose of providing funding for the Crex Meadows 
youth conservation camp. All moneys transferred from par. (j) to this appropriation 
shall be credited to this appropriation.

**SECTION 207.** 20.143 (3) (t) of the statutes is amended to read:

20.143 (3) (t) Petroleum inspection fund — revenue obligation repayment.
From the petroleum inspection fund, a sum sufficient to repay the fund in the state 
treasury created under s. 18.57 (1), or the separate and distinct fund outside the state 
treasury under s. 18.562 (3), the amount needed to retire revenue obligations issued 
under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m), and to make 
payments under an agreement or ancillary arrangement entered into under s. 18.55 
(6) with respect to revenue obligations issued under s. 101.143 (9m).

**SECTION 208.** 20.143 (3) (u) of the statutes is amended to read:
Revenue obligation debt service — petroleum inspection fund.

From the fund in the state treasury created under s. 18.57 (1), all moneys received by the fund for the purpose of the retirement of revenue obligations, providing for reserves and for operations relating to the management and retirement of revenue obligations issued under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m), and to make payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under s. 101.143 (9m).

All moneys received by the fund are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds to be received thereafter. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

Section 210. 20.145 (1) (g) of the statutes is renumbered 20.145 (1) (g) (intro.) and amended to read:

20.145 (1) (g) General program operations. (intro.) The amounts in the schedule for general program operations, including organizational support services, All of the following shall be credited to this appropriation account:

1. Ninety percent of all moneys received under ss. 601.31, 601.32, 601.42 (7), 601.45, and 601.47 and by the commissioner for expenses related to insurance company restructurings, except for restructurings specified in par. (h), shall be credited to this appropriation account.

Section 211. 20.145 (1) (g) 2. of the statutes is created to read:

20.145 (1) (g) 2. All moneys received under s. 655.27 (2) from the injured patients and families compensation fund and under s. 604.04 (3) from the local
government property insurance fund and the state life insurance fund as payment
for organizational support services.

SECTION 212. 20.145 (1) (k) of the statutes is repealed.

SECTION 213. 20.145 (5) of the statutes is repealed.

SECTION 215. 20.155 (3) (title) of the statutes is repealed and recreated to read:

20.155 (3) (title) AFFILIATED GRANT PROGRAMS.

SECTION 216. 20.155 (3) (q) of the statutes is amended to read:

20.155 (3) (q) General program operations and grants. From the wireless 911
fund, all moneys received under s. 146.70 (3m) (f) 1. to administer and make grants
under s. 146.70 (3m) (d) and supplemental grants under s. 146.70 (3m) (e). No
moneys may be encumbered or expended from this appropriation after April 1, 2009.

SECTION 217. 20.155 (3) (s) of the statutes is created to read:

20.155 (3) (s) Energy efficiency and renewable resource programs. From the
utility public benefits fund, the amounts in the schedule for the costs of
administering s. 196.374. All moneys received under s. 196.374 (3) (b) 4. shall be
credited to this appropriation account.

SECTION 218. 20.190 (1) (c) of the statutes is amended to read:

20.190 (1) (c) Housing facilities principal repayment, interest and rebates. A
sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest
costs incurred in financing housing facilities at the state fair park in West Allis and
to make the payments determined by the building commission under s. 13.488 (1) (m)
that are attributable to the proceeds of obligations incurred in financing these
facilities, and to make payments under an agreement or ancillary arrangement
entered into under s. 18.06 (8) (a).

SECTION 219. 20.190 (1) (d) of the statutes is amended to read:
20.190 (1) (d) **Principal repayment and interest.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of park facilities and, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing this acquisition, construction, development, enlargement, or improvement, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 219.** 20.190 (1) (h) of the statutes is amended to read:

20.190 (1) (h) **State fair operations.** All moneys received by the state fair park board for or on account of the state fair, state fair park or other events and all moneys received from any lease of the Olympic Ice Training Center under s. 42.11 (3) to be used to support the operation, management and development of state fair park and for the grant program under s. 42.12. The unencumbered balance of this appropriation on June 30 of each year shall be transferred to the appropriation under par. (i).

**SECTION 220.** 20.190 (1) (i) of the statutes is amended to read:

20.190 (1) (i) **State fair capital expenses.** The surplus of receipts transferred from par. (h), to be used for the acquisition of land, the payment of construction costs, including architectural and engineering services, furnishings, and equipment, maintenance of state-owned housing and temporary financing necessary to provide facilities for exposition purposes. The state fair park board may use moneys in this appropriation to reimburse s. 20.866 (1) (u) for payment of principal and interest costs incurred in financing state fair park facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).
SECTION 221. 20.190 (1) (j) of the statutes is amended to read:

20.190 (1) (j) State fair principal repayment, interest and rebates. A sum sufficient from revenues earned under par. (h) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing state fair park facilities and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing state fair park facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 221m. 20.215 (1) (fm) of the statutes is created to read:

20.215 (1) (fm) Onetime grants. The amounts in the schedule for the grants under 2007 Wisconsin Act .... (this act), section 9104 (1j).

SECTION 221p. 20.215 (1) (fm) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

SECTION 221s. 20.225 (1) (b) of the statutes is amended to read:

20.225 (1) (b) Energy costs. The amounts in the schedule to pay for utilities and for fuel, heat, and air conditioning, to pay assessments levied by the department of administration under s. 16.847 (3) for debt service costs and energy cost savings generated at facilities of the board, and to pay costs incurred under ss. 16.858 and 16.895, by or on behalf of the board.

SECTION 222. 20.225 (1) (c) of the statutes is amended to read:

20.225 (1) (c) Principal repayment and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities approved by the building commission for operation by the educational
communications board and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 223.** 20.225 (1) (i) of the statutes is amended to read:

20.225 (1) (i) Program revenue facilities; principal repayment, interest, and rebates. A sum sufficient from gifts and grants to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of facilities approved by the building commission for operation by the educational communications board and, to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 224.** 20.235 (1) (fe) of the statutes is amended to read:

20.235 (1) (fe) Wisconsin higher education grants; University of Wisconsin System students. A sum sufficient equal to $45,057,200 $50,000,000 in the 2005−06 2007−08 fiscal year, equal to $39,280,600 $55,000,000 in the 2006−07 2008−09 fiscal year, and equal to the amount calculated under s. 39.435 (7) for the Wisconsin higher education grant program under s. 39.435 for University of Wisconsin System students, except for grants awarded under s. 39.435 (2) or (5), thereafter.

**SECTION 225.** 20.235 (1) (fm) of the statutes is created to read:

20.235 (1) (fm) Wisconsin covenant scholars grants. The amounts in the schedule for Wisconsin covenant scholars grants under s. 39.437.

**SECTION 226.** 20.235 (1) (fz) of the statutes is created to read:

20.235 (1) (fz) Remission of fees for veterans and dependents. Biennially, the amounts in the schedule to reimburse the Board of Regents of the University of
Wisconsin System and technical college district boards under s. 39.50 for fee remissions made under ss. 36.27 (3n) or (3p) and 38.24 (7) or (8).

SECTION 227. 20.245 (1) (b) of the statutes is created to read:

20.245 (1) (b) Wisconsin Black Historical Society and Museum. The amounts in the schedule for grants to the Wisconsin Black Historical Society and Museum under s. 44.02 (28).

SECTION 227m. 20.245 (1) (c) of the statutes is amended to read:

20.245 (1) (c) Energy costs. The amounts in the schedule to pay for utilities and for fuel, heat, and air conditioning, to pay assessments levied by the department of administration under s. 16.847 (3) for debt service costs and energy cost savings generated at facilities of the society, and to pay costs incurred by or on behalf of the historical society under ss. 16.858 and 16.895.

SECTION 228. 20.245 (1) (e) of the statutes is amended to read:

20.245 (1) (e) Principal repayment, interest, and rebates. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of facilities of the historical society; and for the payment of principal and interest costs incurred in financing the acquisition and installation of systems and equipment necessary to prepare historic records for transfer to new storage facilities; and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing this acquisition and installation, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 229. 20.245 (1) (j) of the statutes is amended to read:
20.245 (1) (j) *Self-amortizing facilities; principal repayment, interest, and rebates.* A sum sufficient from the revenues received under pars. (h) and (r) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of facilities of the historical society and, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 230.** 20.245 (1) (k) of the statutes is created to read:

20.245 (1) (k) *Storage facility.* The amounts in the schedule to support the operation of a storage facility for the collections of the historical society. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4d. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

**SECTION 231.** 20.245 (1) (kw) of the statutes is created to read:

20.245 (1) (kw) *Records management-service funds.* All moneys received from other state agencies for planning activities relating to the management of public records and other information in the possession of the historical society, the management of those records and other information, and other program services relating to those records and other information for those purposes.

**SECTION 232.** 20.250 (1) (c) of the statutes is amended to read:

20.250 (1) (c) *Principal repayment, interest, and rebates; biomedical research and technology incubator.* A sum sufficient to reimburse s. 20.866 (1) (u) for the
payment of principal and interest costs incurred in financing the construction grants under s. 13.48 (31), and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction grants under s. 13.48 (31), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 233. 20.250 (1) (e) of the statutes is amended to read:

20.250 (1) (e) Principal repayment and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in aiding the construction of a basic science education facility and in aiding the funding of a health information technology center and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 234m. 20.255 (1) (c) of the statutes is amended to read:

20.255 (1) (c) Energy costs; Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired. The amounts in the schedule to be used at the facilities of the Wisconsin Educational Services Program for the Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually Impaired to pay for utilities and for fuel, heat and air conditioning, to pay assessments levied by the department of administration under s. 16.847 (3) for debt service costs and energy cost savings generated at departmental facilities, and to pay costs incurred by or on behalf of the department under ss. 16.858 and 16.895.

SECTION 235. 20.255 (1) (d) of the statutes is amended to read:

20.255 (1) (d) Principal repayment and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
the acquisition, construction, development, enlargement or improvement of
institutional facilities for individuals with hearing impairments under s. 115.52,
individuals with visual impairments under s. 115.525, and reference and loan library
facilities under s. 43.05 (11) and to make payments under an agreement or ancillary
arrangement entered into under s. 18.06 (8) (a).

SECTION 235m. 20.255 (1) (gh) of the statutes is repealed.

SECTION 236. 20.255 (1) (j) of the statutes is created to read:

20.255 (1) (j) Milwaukee Parental Choice Program fees. All moneys received
under s. 119.23 (2) (a) 8. to be used to evaluate the financial information submitted
under s. 119.23 (7) (am) by private schools participating in the Milwaukee Parental
Choice Program.

SECTION 236m. 20.255 (2) (ad) of the statutes is amended to read:

20.255 (2) (ad) Supplemental aid. The amounts in the schedule for aid to school
districts under s. 115.435 and for the payment to the Butternut school district under
2007 Wisconsin Act .... (this act), section 9137 (4k).

SECTION 236nb. 20.255 (2) (ae) of the statutes is created to read:

20.255 (2) (ae) Sparsity aid. The amounts in the schedule for sparsity aid to
school districts under s. 115.436.

SECTION 236nd. 20.255 (2) (af) of the statutes is created to read:

20.255 (2) (af) Belmont school library aid. The amounts in the schedule for aid to
the Belmont School District to create an on-line school library catalog. No moneys
may be encumbered from this appropriation after June 30, 2008.

SECTION 236nm. 20.255 (2) (bb) of the statutes is created to read:

20.255 (2) (bb) Aid for high poverty school districts. The amounts in the
schedule for aid to high poverty school districts under s. 121.136.
SECTION 236o. 20.255 (2) (be) of the statutes is created to read:

20.255 (2) (be) Supplemental special education aid. The amounts in the schedule for supplemental special education aid under s. 115.883.

SECTION 236p. 20.255 (2) (bs) of the statutes is created to read:

20.255 (2) (bs) School district consolidation grants. The amounts in the schedule for grants for school district consolidation feasibility studies under 2007 Wisconsin Act .... [this act], section 9137 (3k). No funds may be encumbered from this appropriation after June 30, 2009.

SECTION 241. 20.255 (2) (df) of the statutes is created to read:

20.255 (2) (df) Grants for improving pupil academic achievement. The amounts in the schedule for grants to the school district operating under ch. 119 to improve pupil academic achievement under s. 115.395.

SECTION 241m. 20.255 (2) (dL) of the statutes is created to read:

20.255 (2) (dL) Grants for nursing services. The amounts in the schedule for grants to school districts for nursing services under s. 115.28 (47).

SECTION 242. 20.255 (2) (dp) of the statutes is created to read:

20.255 (2) (dp) Four-year-old kindergarten grants. The amounts in the schedule for 4-year-old kindergarten grants under s. 115.445.

SECTION 243. 20.255 (2) (fz) of the statutes is created to read:

20.255 (2) (fz) Grants for science, technology, engineering, and mathematics programs. The amounts in the schedule for grants to school districts for science, technology, engineering, and mathematics programs under s. 115.28 (46).

SECTION 243c. 20.255 (2) (u) of the statutes is created to read:

20.255 (2) (u) La Causa Charter School. From the universal service fund, the amounts in the schedule for La Causa Charter School in the city of Milwaukee under
2007 Wisconsin Act .... (this act), section 9137 (7c) (a). No moneys may be encumbered from this appropriation after June 30, 2008.

**SECTION 243f.** 20.255 (3) (a) of the statutes is created to read:

20.255 (3) (a) *One-time grants to organizations.* The amounts in the schedule for the grants under 2007 Wisconsin Act .... (this act), section 9137 (5i).

**SECTION 243g.** 20.255 (3) (a) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

**SECTION 245.** 20.255 (3) (c) of the statutes is amended to read:

20.255 (3) (c) *National Grants for national teacher certification or master educator licensure.* A sum sufficient for *payments grants* to teachers who are certified by the National Board for Professional Teaching Standards or licensed as master educators as provided under s. 115.42.

**SECTION 246m.** 20.255 (3) (dn) of the statutes is amended to read:

20.255 (3) (dn) *Project Lead the Way grants.* The amounts in the schedule for annual grants to Project Lead the Way to provide discounted professional development services and software for participating high schools in this state. No moneys may be encumbered under this paragraph after June 30, 2007, 2009.

**SECTION 247.** 20.255 (3) (fz) of the statutes is amended to read:

20.255 (3) (fz) *Minority group pupil Precollege scholarships.* The amounts in the schedule for the payment of minority group pupil precollege scholarships under s. 115.43.

**SECTION 248.** 20.255 (3) (q) of the statutes is amended to read:

20.255 (3) (q) (title) *Periodical and reference information databases: Newsline for the Blind.* From the universal service fund, the amounts in the schedule for the Newsline for the Blind, provided by the Regional Library for the Blind and Physically
Handicapped, and to contract for periodical and reference information databases under s. 115.28 (26).

**SECTION 248m.** 20.285 (1) (c) of the statutes is amended to read:

20.285 (1) (c) Energy costs. The amounts in the schedule to pay for utilities and for fuel, heat, and air conditioning, to pay assessments levied by the department of administration under s. 16.847 (3) for debt service costs and energy cost savings generated at university facilities, and to pay costs incurred under ss. 16.858 and 16.895, including all operating costs recommended by the department of administration that result from the installation of pollution abatement equipment in state-owned or operated heating, cooling, or power plants, by or on behalf of the board of regents, and including the cost of purchasing electricity, steam, and chilled water generated by the cogeneration facility constructed pursuant to an agreement under 2001 Wisconsin Act 109, section 9156 (2z) (g).

**SECTION 249.** 20.285 (1) (d) of the statutes is amended to read:

20.285 (1) (d) Principal repayment and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of university academic facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 250.** 20.285 (1) (db) of the statutes is amended to read:

20.285 (1) (db) Self-amortizing facilities principal and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for any amounts advanced to meet principal and interest costs on self-amortizing university facilities whenever the combined balances of all accounts of activities, of any campus, included in par. (h) and sub. (6) (g) are insufficient, as determined by the department of administration, to make
transfers to pars. (kd) and (ke) as required by par. (h) and sub. (6) (g), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). Amounts advanced under the authority of this paragraph shall be repaid to the general fund in installments to be determined jointly by the department of administration and the campus concerned. For projects authorized by the building commission before July 1, 1998, annually an amount equal to 80% of the principal and interest costs for maintenance of University of Wisconsin–Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 1998, annually an amount equal to 70% of the principal and interest costs for maintenance of University of Wisconsin–Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph.

**SECTION 252.** 20.285 (1) (h) of the statutes is amended to read:

20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (5) (i) and (6) (g), all moneys received by the University of Wisconsin System for or on account of any housing facility, commons, dining halls, cafeteria, student union, athletic activities, stationery stand or bookstore, parking facilities or car fleet, or such other auxiliary enterprise activities as the board designates and including such fee revenues as allocated by the board and including such moneys received under leases entered into previously with nonprofit building corporations as the board designates to be receipts under this paragraph, but not including any moneys received from the sale of real property during the period before July 1, 2007, and the period beginning on the effective date of this paragraph .... [revisor inserts date], and ending on June 30, 2009, to be used for the operation, maintenance, and capital expenditures of activities specified in this paragraph, including the transfer of funds to pars. (kd) and
(ke), and to nonprofit building corporations to be used by the corporations for the
retirement of existing indebtedness and such other payments as may be required
under existing loan agreements, for optional rental payments in addition to the
mandatory rental payments under the leases and subleases in connection with the
providing of facilities for such activities, and for grants under ss. 36.25 (14) and
36.34. A separate account shall be maintained for each campus and extension. Upon
the request of the extension or any campus within the system, the board of regents
may transfer surplus moneys appropriated under this paragraph to the
appropriation account under par. (kp).

**SECTION 253.** 20.285 (1) (im) of the statutes is amended to read:

20.285 (1) (im) Academic student fees. Except as provided under pars. (ip), (Lm)
and (Ls) and sub. (2) (j), all moneys received from academic student fees for degree
credit instruction, other than for credit outreach instruction sponsored by the
University of Wisconsin–Extension, and to reimburse s. 20.866 (1) (u) for the
payment of principal and interest costs incurred in financing the construction of
tri-state initiative facilities at the University of Wisconsin–Platteville as
enumerated in 2005 Wisconsin Act 25, section 9105 (1) (h), and to make payments
determined by the building commission under s. 13.488 (1) (m) that are attributable
to the proceeds of obligations incurred in financing the facilities, and to make
payments under an agreement or ancillary arrangement entered into under s. 18.06
(8) (a).

**SECTION 254.** 20.285 (1) (iz) of the statutes is amended to read:

20.285 (1) (iz) General operations receipts. All moneys received for or on
account of the University of Wisconsin System, unless otherwise specifically
appropriated, including all moneys received from the sale of real property during the
period prior to July 1, 2007, and the period beginning on the effective date of this paragraph .... [revisor inserts date], and ending on June 30, 2009, to be used for general operations. In fiscal years 2007–08, 2008–09, 2009–10, and 2010–11, the board shall annually transfer $15,000,000 from this appropriation account to the medical assistance trust fund.

SECTION 255. 20.285 (1) (j) of the statutes is amended to read:

20.285 (1) (j) Gifts and donations. All moneys received from gifts, grants, bequests and devises, except moneys received from the sale of real property during the period before July 1, 2007, and the period beginning on the effective date of this paragraph .... [revisor inserts date], and ending on June 30, 2009, to be administered and expended in accordance with the terms of the gift, grant, bequest or devise to carry out the purposes for which made and received.

SECTION 256. 20.285 (1) (je) of the statutes is amended to read:

20.285 (1) (je) Veterinary diagnostic laboratory; fees. All moneys received under s. 36.58 (3), other than from state agencies, to be used for general program operations of the veterinary diagnostic laboratory and to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the veterinary diagnostic laboratory enumerated in 2001 Wisconsin Act 16, section 9107 (1) (m) 1. and, to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing that facility, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 257. 20.285 (1) (jq) of the statutes is amended to read:

20.285 (1) (jq) Steam and chilled-water plant; principal repayment, interest, and rebates; nonstate entities. All moneys received from utility charges to the
University of Wisconsin Hospitals and Clinics Authority and agencies of the federal
government that are approved by the department of administration under s. 36.11
(48) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs
incurred in purchasing the Walnut Street steam and chilled-water plant
enumerated under 2003 Wisconsin Act 33, section 9106 (1) (g) 2., and to make
payments determined by the building commission under s. 13.488 (1) (m) that are
attributable to the proceeds of obligations incurred in financing the purchase of the
plant, and to make payments under an agreement or ancillary arrangement entered
into under s. 18.06 (8) (a).

SECTION 258. 20.285 (1) (ka) of the statutes is amended to read:

20.285 (1) (ka) Sale of real property. All net proceeds from the sale of real
property by the board under s. 36.34, 1969 stats., and s. 36.33, except net proceeds
received during the period before July 1, 2007, and the period beginning on the
effective date of this paragraph .... [revisor inserts date], and ending on June 30,
2009, to be used for the purposes of s. 36.34, 1969 stats., and s. 36.33, including the
expenses enumerated in s. 13.48 (2) (d) incurred in selling the real property under
those sections.

SECTION 259. 20.285 (1) (kd) of the statutes is amended to read:

20.285 (1) (kd) Principal repayment, interest and rebates. From the revenues
credited under par. (h) and sub. (6) (g), a sum sufficient to reimburse s. 20.866 (1) (u)
for the payment of principal and interest costs incurred in financing the acquisition,
construction, development, enlargement or improvement of self-amortizing
university facilities and, to make the payments determined by the building
commission under s. 13.488 (1) (m) that are attributable to the proceeds of
obligations incurred in financing such facilities, and to make payments under an
agreement or ancillary arrangement entered into under s. 18.06 (8) (a). For projects authorized by the building commission before July 1, 1998, annually an amount equal to 20% of the principal and interest costs for maintenance of University of Wisconsin–Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 1998, but before July 1, 2001, annually an amount equal to 30% of the principal and interest costs for maintenance of University of Wisconsin–Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 2001, annually an amount equal to 40% of the principal and interest costs for maintenance of University of Wisconsin–Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph.

SECTION 260. 20.285 (1) (km) of the statutes is amended to read:

20.285 (1) (km) Aquaculture demonstration facility; principal repayment and interest. The amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the aquaculture demonstration facility enumerated under 1999 Wisconsin Act 9, section 9107 (1) (i) 3. and, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing that facility, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 1c. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

**SECTION 261.** 20.285 (1) (ko) of the statutes is amended to read:

20.285 (1) (ko) **Steam and chilled-water plant; principal repayment, interest, and rebates.** All moneys received from utility charges to University of Wisconsin–Madison campus operations that are approved by the department of administration under s. 36.11 (48) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in purchasing the Walnut Street steam and chilled-water plant enumerated under 2003 Wisconsin Act 33, section 9106 (1) (g) 2., and to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the purchase of the plant, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 261e.** 20.285 (1) (qr) of the statutes is created to read:

20.285 (1) (qr) **Discovery farm grants.** From the agricultural chemical cleanup fund, the amounts in the schedule for making grants under s. 36.25 (47).

**SECTION 261r.** 20.285 (1) (tb) of the statutes is amended to read:

20.285 (1) (tb) **Extension recycling education.** From the recycling and renewable energy fund, the amounts in the schedule for University of Wisconsin–Extension educational and technical assistance programs in recycling and recycling market development.

**SECTION 261t.** 20.285 (1) (tm) of the statutes is amended to read:

20.285 (1) (tm) **Solid waste research and experiments.** From the recycling and renewable energy fund, the amounts in the schedule for research into alternative
methods of solid waste management and for administering solid waste experiment

SECTION 262. 20.285 (5) (i) of the statutes is amended to read:

20.285 (5) (i) Nonincome sports. All moneys received from the sale of parking
provided for all events at athletic facilities at the University of Wisconsin–Madison,
less related expenses appropriated under sub. (1) (h), to be used for the sports
administered by the division of intercollegiate athletics at the University of
Wisconsin–Madison other than men's basketball, football and hockey and, for debt
service on any sports–related facility, and to make payments under an agreement or
ancillary arrangement entered into under s. 18.06 (8) (a). Of the amount
appropriated under this paragraph, the board shall allocate at least $50,000
annually to support scholarships for women athletes.

SECTION 265m. 20.292 (1) (gm) of the statutes is amended to read:

20.292 (1) (gm) Fire schools; state operations. The amounts in the schedule for
supervising and conducting schools for instruction in fire protection and prevention
under s. 38.04 (9). All moneys transferred from s. 20.143 (3) (L) to this appropriation
shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), at the end
of each fiscal year the unencumbered balance in this appropriation shall revert to the
appropriation under s. 20.143 (3) (L).

SECTION 266. 20.320 (1) (c) of the statutes is amended to read:

20.320 (1) (c) Principal repayment and interest — clean water fund program.
A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and
interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the
environmental improvement fund for the purposes of the clean water fund program
under s. 281.58 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 267.** 20.320 (1) (q) of the statutes is amended to read:

20.320 (1) (q) *Clean water fund program revenue obligation funding.* As a continuing appropriation, all proceeds from revenue obligations issued for the clean water fund program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4) and deposited in the fund in the state treasury created under s. 18.57 (1), providing for reserves and for expenses of issuance and management of the revenue obligations, and to make payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under s. 281.59 (4), and the remainder to be transferred to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

**SECTION 268.** 20.320 (1) (r) of the statutes is amended to read:

20.320 (1) (r) *Clean water fund program repayment of revenue obligations.* From the environmental improvement fund, a sum sufficient to repay the fund in the state treasury created under s. 18.57 (1) the amount needed to retire revenue obligations issued for the clean water fund program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4), and to make payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under s. 281.59 (4).

**SECTION 269.** 20.320 (1) (t) of the statutes is amended to read:

20.320 (1) (t) *Principal repayment and interest — clean water fund program bonds.* From the environmental improvement fund, the amounts in the schedule to
reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). Fifty percent of all moneys received from municipalities as payment of interest on loans or portions of loans under s. 281.58 the revenues of which have not been pledged to secure revenue obligations shall be credited to this appropriation account.

**SECTION 270.** 20.320 (1) (u) of the statutes is amended to read:

20.320 (1) (u) **Principal repayment and interest — clean water fund program revenue obligation repayment.** From the fund in the state treasury created under s. 18.57 (1), all moneys received by the fund and not transferred under s. 281.59 (4) (c) to the environmental improvement fund, for the purpose of the retirement of revenue obligations, providing for reserves and for operations relating to the management and retirement of revenue obligations issued for the clean water fund program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4), and to make payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under s. 281.59 (4). All moneys received are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds to be received thereafter.

**SECTION 271.** 20.320 (2) (c) of the statutes is amended to read:

20.320 (2) (c) **Principal repayment and interest — safe drinking water loan program.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the safe drinking water loan program under
s. 20.866 (2) (td) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 272.** 20.370 (1) (cy) of the statutes is created to read:

20.370 (1) (cy) *Forestry — cooperating foresters.* All moneys received under s. 28.05 (3) (c) for payment to cooperating foresters to be used for those payments.

**SECTION 273.** 20.370 (1) (es) of the statutes is created to read:

20.370 (1) (es) *Parks — interpretive programs.* All moneys received from fees authorized under s. 27.01 (9) (d) for educational and interpretive programs in state parks to be used for costs associated with those programs.

**SECTION 274.** 20.370 (1) (gt) of the statutes is created to read:

20.370 (1) (gt) *Habitat conservation plan fees.* All moneys received from gifts, grants, and bequests to, and all fees paid by partners in, the Karner blue butterfly habitat conservation plan to be used for the administration and implementation of the plan.

**SECTION 274m.** 20.370 (1) (ms) of the statutes is amended to read:

20.370 (1) (ms) *General program operations — state all-terrain vehicle projects.* The amounts in the schedule from moneys received from all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and (2j) for state all-terrain vehicle projects.

**SECTION 277.** 20.370 (2) (dg) of the statutes is amended to read:

20.370 (2) (dg) *Solid waste management — solid and hazardous waste disposal administration.* All moneys received from fees under ss. 289.42 (1), 289.43 (7) (e) 1. and 2., 289.61, 291.05 (7) and 291.33, except for moneys appropriated under sub. (9) (mj), for the purpose of administering ss. 289.42 (1), 289.43, 289.47, 289.53, 289.95, 291.23, 291.25, 291.29, 291.31 and 291.87 and subch. III of ch. 289.

**SECTION 278.** 20.370 (2) (di) of the statutes is repealed.
20.370 (2) (hq) Recycling; administration. From the recycling and renewable energy fund, the amounts in the schedule for the administration of subch. II of ch. 287, other than ss. 287.21, 287.23 and 287.25.

20.370 (3) (at) Education and safety programs. For programs or courses of instruction under ss. 23.33 (5) (d), 29.591 (3), 30.74 (1) (a) and 350.055 (1). All moneys remitted to the department under ss. 23.33 (5) (d), 29.563 (12) (c) 2., 29.591 (3), 30.74 (1) (b), and 350.055 (1) shall be credited to this appropriation.

20.370 (3) (mm) General program operations — federal funds. All moneys received as federal aid for enforcement activities, as authorized by the governor under s. 16.54, to be expended for those activities.

20.370 (3) (mr) Recycling; enforcement and research. From the recycling and renewable energy fund, the amounts in the schedule for research and enforcement under subch. II of ch. 287, other than under ss. 287.21, 287.23 and 287.25.

20.370 (5) (ad) Resource aids—interpretive center. From the general fund, the amounts in the schedule for a grant to the Florence Wild Rivers Interpretive Center under s. 30.255.

20.370 (5) (av) Resource aids — private forest grants. Biennially, the amounts in the schedule for private forest grants under s. 26.38.

20.370 (5) (bw) Resource aids — interpretive center. From the general fund, the amounts in the schedule for a grant to the Florence Wild Rivers Interpretive Center under s. 30.255.
20.370 (5) (bw) Resource aids — urban forestry, county sustainable forestry, and county forest administrator administration grants. The amounts in the schedule for urban forestry grants under s. 23.097, county sustainable forestry grants under s. 28.11 (5r), and county forest administrator administration grants under s. 28.11 (5m).

Section 282. 20.370 (5) (bz) of the statutes is created to read:

20.370 (5) (bz) Resource aids — forestry outdoor activity grants. As a continuing appropriation, the amounts in the schedule for grants awarded by the managed forest land board under s. 77.895.

Section 282e. 20.370 (5) (cq) of the statutes is amended to read:

20.370 (5) (cq) Recreation aids — recreational boating and other projects. As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Portage levee system and the Portage canal under s. 31.309, for development of a state park under s. 23.198, for the Southeastern Wisconsin Fox River commission under 2005 Wisconsin Act 25, section 9135 (4w) and 2007 Wisconsin Act .... (this act), section 9135 (2v), for funding for the Fox River Navigational System Authority under s. 237.08 (2), and for the engineering and environmental study under s. 31.307.

Section 282f. 20.370 (5) (cq) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

20.370 (5) (cq) Recreation aids — recreational boating and other projects. As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Portage levee system and the Portage canal under s. 31.309, for development of a state park under s. 23.198, for the Southeastern Wisconsin Fox River commission...
under 2005 Wisconsin Act 25, section 9135 (4w) and 2007 Wisconsin Act ... (this act),

section 9135 (2v), for funding for the Fox River Navigational System Authority under
s. 237.08 (2), and for the engineering and environmental study under s. 31.307.

**SECTION 282f.** 20.370 (5) (cu) of the statutes is amended to read:

20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a
continuing appropriation, the amounts in the schedule from moneys received from
all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and (2j) to provide aid to towns,
villages, cities, counties, and federal agencies for nonstate all-terrain vehicle
projects, to make incentive payments to landowners under s. 23.33 (5r), and to
provide grants under s. 23.33 (11m) (g) to counties and municipalities participating
in the lightweight utility vehicle pilot program.

**SECTION 282km.** 20.370 (5) (cu) of the statutes, as affected by 2007 Wisconsin
Act ..... (this act), is amended to read:

20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a
continuing appropriation, the amounts in the schedule from moneys received from
all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and (2j) to provide aid to towns,
villages, cities, counties, and federal agencies for nonstate all-terrain vehicle
projects, to make incentive payments to landowners under s. 23.33 (5r), and to
provide grants under s. 23.33 (11m) (g) to counties and municipalities participating
in the lightweight utility vehicle pilot program.

**SECTION 282L.** 20.370 (5) (cv) of the statutes is created to read:

20.370 (5) (cv) *Recreation aids — all-terrain vehicle landowner incentive
program.* All moneys received as fees under s. 23.33 (2j) to be used for incentive
payments to landowners for public all-terrain vehicle corridors under s. 23.33 (5r).

**SECTION 282Lm.** 20.370 (6) (ar) of the statutes is amended to read:
20.370 (6) (ar) **Environmental aids — lake protection.** From the conservation fund, as a continuing appropriation, the amounts in the schedule for grants under s. 23.22 (2) (c) and for grants and contracts under ss. 281.68 and 281.69.

**SECTION 282m.** 20.370 (6) (as) of the statutes is created to read:

20.370 (6) (as) **Environmental aids—invasive aquatic species.** Biennially, from the conservation fund, the amounts in the schedule for grants under s. 23.22 (2) (c) to control invasive species that are aquatic species.

**SECTION 282nf.** 20.370 (6) (br) of the statutes is amended to read:

20.370 (6) (br) **Environmental aids — waste reduction and recycling.** From the recycling and renewable energy fund, as a continuing appropriation, the amounts in the schedule for waste reduction and recycling demonstration grants under s. 287.25 and for business waste reduction and recycling assistance under s. 287.26.

**SECTION 282nh.** 20.370 (6) (bu) of the statutes is amended to read:

20.370 (6) (bu) **Financial assistance for responsible units.** From the recycling and renewable energy fund, the amounts in the schedule for grants to responsible units under s. 287.23.

**SECTION 282nj.** 20.370 (6) (bv) of the statutes is amended to read:

20.370 (6) (bv) **Recycling efficiency incentive grants.** From the recycling and renewable energy fund, the amounts in the schedule for recycling efficiency incentive grants under s. 287.235.

**SECTION 282p.** 20.370 (6) (cr) (title) of the statutes is amended to read:

20.370 (6) (cr) (title) **Environmental aids — compensation for well contamination and abandonment.**

**SECTION 282r.** 20.370 (6) (dq) of the statutes is amended to read:
20.370 (6) (dq) Environmental aids - urban nonpoint source. Biennially, from
the environmental fund, the amounts in the schedule to provide financial assistance
for urban nonpoint source water pollution abatement and storm water management
under s. 281.66 and for municipal flood control and riparian restoration under s.
281.665 and to make the grant under 2007 Wisconsin Act .... (this act), section 9135
(1i).

Section 282w. 20.370 (6) (ev) of the statutes is created to read:

20.370 (6) (ev) Reimbursement for disposal of contaminated sediment. From
the recycling fund, the amounts in the schedule for reimbursement for out-of-state
disposal of contaminated sediment under s. 292.68.

Section 283. 20.370 (7) (aa) of the statutes is amended to read:

20.370 (7) (aa) Resource acquisition and development — principal repayment
and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
principal and interest costs incurred in financing the placement of structures and fill
under s. 30.203, in financing the acquisition, construction, development,
enlargement, or improvement of state recreation facilities under s. 20.866 (2) (tp) and
(tr), in financing state aids for land acquisition and development of local parks under
s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and
(tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice
age trail development under s. 20.866 (2) (tw), in financing the Warren
Knowles–Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in
financing the Warren Knowles–Gaylord Nelson stewardship 2000 program under s.
20.866 (2) (ta), but not including payments made under par. (ac), and to make
payments under an agreement or ancillary arrangement entered into under s. 18.06
(8) (a). Payments may not be made from this appropriation account for principal and
interest costs incurred in financing land acquisition and development of state forests under ss. 20.866 (2) (ta) and (tz) until all moneys available under s. 20.370 (7) (au) have been expended.

SECTION 284. 20.370 (7) (ac) of the statutes is amended to read:

20.370 (7) (ac) Principal repayment and interest — recreational boating bonds.

A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in assisting municipalities and other qualifying entities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities under s. 30.92 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 285. 20.370 (7) (ag) of the statutes is amended to read:

20.370 (7) (ag) Land acquisition — principal repayment and interest. All moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition under s. 23.0917 (5m) from the appropriation under s. 20.866 (2) (ta) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 286. 20.370 (7) (aq) of the statutes is amended to read:

20.370 (7) (aq) Resource acquisition and development — principal repayment and interest. From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition activities under s. 20.866 (2) (ty) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 287. 20.370 (7) (ar) of the statutes is amended to read:
20.370 (7) (ar) Dam repair and removal — principal repayment and interest.

From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the aid program for dams under s. 20.866 (2) (tL) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 288.** 20.370 (7) (at) of the statutes is amended to read:

20.370 (7) (at) Recreation development — principal repayment and interest.

From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in acquiring, constructing, developing, enlarging, or improving state recreation facilities and state fish hatcheries under s. 20.866 (2) (tu) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 289.** 20.370 (7) (au) of the statutes is amended to read:

20.370 (7) (au) State forest acquisition and development — principal repayment and interest. From the conservation fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition and development for state forests from the appropriations under s. 20.866 (2) (ta) and (tz) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 290.** 20.370 (7) (bq) of the statutes is amended to read:

20.370 (7) (bq) Principal repayment and interest — remedial action. From the environmental fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing remedial action under ss. 281.83 and 292.31 and for the payment of this state’s share of environmental repair that is
funded under 42 USC 9601 to 9675 and to make payments under an agreement or 
ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 291. 20.370 (7) (br) of the statutes is created to read:

20.370 (7) (br) Principal repayment and interest — contaminated sediment. 
From the environmental fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the 
principal and interest costs incurred in financing projects to remove contaminated 
sediment under s. 20.866 (2) (ti), to make the payments determined by the building 
commission under s. 13.488 (1) (m) that are attributable to the proceeds of 
obligations incurred in financing those projects, and to make payments under an 
agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 292. 20.370 (7) (ca) of the statutes is amended to read:

20.370 (7) (ca) Principal repayment and interest — nonpoint source grants. A 
sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest 
costs incurred in providing funds under s. 20.866 (2) (te) for nonpoint source water 
pollution abatement projects under s. 281.65 and, to make the payments determined 
by the building commission under s. 13.488 (1) (m) that are attributable to the 
proceeds of obligations incurred in financing those projects, to the extent that these 
payments are not made under par. (cg), and to make payments under an agreement 
or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 293. 20.370 (7) (cb) of the statutes is amended to read:

20.370 (7) (cb) Principal repayment and interest — pollution abatement bonds. 
A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and 
interest costs incurred in financing the acquisition, construction, development, 
enlargement or improvement of point source water pollution abatement facilities 
and sewage collection facilities under ss. 281.55, 281.56 and 281.57 and to make
payments under an agreement or ancillary arrangement entered into under s. 18.06

(8) (a).

SECTION 294. 20.370 (7) (cc) of the statutes is amended to read:

20.370 (7) (cc) Principal repayment and interest — combined sewer overflow; pollution abatement bonds. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of combined sewer overflow projects under s. 281.63 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 295. 20.370 (7) (cd) of the statutes is amended to read:

20.370 (7) (cd) Principal repayment and interest — municipal clean drinking water grants. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in making municipal clean drinking water grants under s. 281.53 and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 296. 20.370 (7) (ce) of the statutes is amended to read:

20.370 (7) (ce) Principal repayment and interest — nonpoint source. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing nonpoint source projects under s. 20.866 (2) (tf) and, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 297. 20.370 (7) (cf) of the statutes is amended to read:

20.370 (7) (cf) Principal repayment and interest — urban nonpoint source cost-sharing. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
principal and interest costs incurred in financing cost-sharing grants for projects
under s. 20.866 (2) (th) and to make the payments determined by the building
commission under s. 13.488 (1) (m) that are attributable to the proceeds of
obligations incurred in financing those grants, and to make payments under an
agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 298. 20.370 (7) (cg) of the statutes is amended to read:

20.370 (7) (cg) Principal repayment and interest — nonpoint repayments. All
moneys received as repayments of cash surpluses and cash advances from recipients
of grants under the nonpoint source water pollution abatement program under s.
281.65, to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs
incurred in providing funds under s. 20.866 (2) (te) for nonpoint source water
pollution projects under s. 281.65 and to make the payments determined by the
building commission under s. 13.488 (1) (m) that are attributable to the proceeds of
obligations incurred in financing those projects, and to make payments under an
agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 299. 20.370 (7) (ea) of the statutes is amended to read:

20.370 (7) (ea) Administrative facilities — principal repayment and interest.
A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and
interest costs incurred in financing the acquisition, construction, development,
enlargement, or improvement of administrative office, laboratory, equipment
storage, or maintenance facilities and to make payments under an agreement or
ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 300. 20.370 (7) (eq) of the statutes is amended to read:

20.370 (7) (eq) Administrative facilities — principal repayment and interest.
From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the
payment of principal and interest costs incurred in financing the acquisition,
construction, development, enlargement, or improvement of administrative office,
laboratory, equipment storage, or maintenance facilities and to make payments
under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

Section 301. 20.370 (7) (er) of the statutes is amended to read:

20.370 (7) (er) Administrative facilities — principal repayment and interest;
environmental fund. From the environmental fund, a sum sufficient to reimburse
s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
the acquisition, construction, development, enlargement, or improvement of
administrative office, laboratory, equipment storage, or maintenance facilities under
s. 20.866 (2) (tk) and, to make the payments determined by the building commission
under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred
in financing this acquisition, construction, development, enlargement, or
improvement, and to make payments under an agreement or ancillary arrangement
entered into under s. 18.06 (8) (a).

Section 302k. 20.370 (8) (iw) of the statutes is amended to read:

20.370 (8) (iw) Statewide recycling administration. From the recycling and
renewable energy fund, the amounts in the schedule for administration of a
statewide recycling program under ch. 287.

Section 302s. 20.370 (9) (hv) of the statutes is created to read:

20.370 (9) (hv) Fee amounts for statewide automated issuing system. All
moneys received from the deductions made under s. 29.024 (6) (ag) to be used for
payments to a person contracted under s. 29.024 (6) (a) 4. as required by the contract.

Section 302tk. 20.370 (9) (is) of the statutes is amended to read:
20.370 (9) (is) *Statewide recycling administration.* From the recycling and renewable energy fund, the amounts in the schedule for the administration of recycling activities under ch. 287.

**SECTION 303.** 20.370 (9) (mj) of the statutes is repealed.

**SECTION 304.** 20.370 (9) (ms) of the statutes is repealed.

**SECTION 305.** 20.373 (1) (g) of the statutes is amended to read:

20.373 (1) (g) *Administration, operation, repair, and rehabilitation.* All from the general fund, all moneys received from the sale of surplus land under 2005 Wisconsin Act 25, section 9105 (14q), to be used for administration of the authority and the operation, repair, and rehabilitation of the Fox River lock system.

**SECTION 305g.** 20.375 of the statutes is created to read:

20.375 *Lower Fox River Remediation Authority.* There is appropriated to the Lower Fox River Remediation Authority for the following program:

1. **(1) Initial costs.** (a) *Initial costs.* Biennially, the amounts in the schedule for the costs of the initial organization and operation of the authority under ch. 279.

**SECTION 306m.** 20.395 (2) (fr) of the statutes is amended to read:

20.395 (2) (fr) *Local roads improvement program, state funds.* As a continuing appropriation, the amounts in the schedule for the local roads improvement program under s. 86.31 (3), and for the payment required under 1997 Wisconsin Act 27, section 9149 (4z), and for the payments authorized under s. 86.31 (3t).

**SECTION 310.** 20.395 (6) (af) of the statutes is amended to read:

20.395 (6) (af) *Principal repayment and interest, local roads for job preservation program and major highway and rehabilitation projects, state funds.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the local roads for job preservation...
program under s. 86.312 and major highway and rehabilitation projects, as provided under ss. 20.866 (2) (uum) and (uur), 84.555, and 84.95, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the local roads for job preservation program under s. 86.312, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 311. 20.395 (6) (aq) of the statutes is amended to read:

20.395 (6) (aq) Principal repayment and interest, transportation facilities, state funds. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of transportation facilities under ss. 84.51, 84.52, 84.53, 85.08 (2) (L) and (4m) (c) and (d), 85.09, and 85.095 (2) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 312. 20.395 (6) (ar) of the statutes is amended to read:

20.395 (6) (ar) Principal repayment and interest, buildings, state funds. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of the department of transportation’s administrative offices or equipment storage and maintenance facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 313. 20.395 (6) (as) of the statutes is amended to read:

20.395 (6) (as) Transportation facilities and highway projects revenue obligation repayment. From any fund created under s. 84.59 (2), all moneys received by the fund and not transferred under s. 84.59 (3) to the transportation fund, for the purpose of the retirement of revenue obligations, providing for reserves and for
operations relating to the management and retirement of revenue obligations issued under s. 84.59, and to make payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under s. 84.59. All moneys received are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds to be received thereafter. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

**SECTION 314.** 20.395 (6) (au) of the statutes is amended to read:

20.395 (6) (au) **Principal repayment and interest, Marquette interchange reconstruction project, state funds.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the Marquette interchange reconstruction project, as provided under ss. 20.866 (2) (uup) and 84.555, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 316.** 20.410 (1) (e) of the statutes is amended to read:

20.410 (1) (e) **Principal repayment and interest.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of correctional facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 317.** 20.410 (1) (ec) of the statutes is amended to read:

20.410 (1) (ec) **Prison industries principal, interest and rebates.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, development, enlargement or improvement of
equipment used in prison industries as authorized under s. 20.866 (2) (uy) if the
moneys credited under par. (km) and appropriated under par. (ko) are insufficient,
and to make full payment of the amounts determined by the building commission
under s. 13.488 (1) (m) if the appropriation under par. (ko) is insufficient to make full
payment of those amounts, and to make payments under an agreement or ancillary
arrangement entered into under s. 18.06 (8) (a).

SECTION 317d. 20.410 (1) (f) of the statutes is amended to read:

20.410 (1) (f) Energy costs. The amounts in the schedule to be used at state
correctional institutions to pay for utilities and for fuel, heat and air conditioning,
to pay assessments levied by the department of administration under s. 16.847 (3)
for debt service costs and energy cost savings generated at departmental facilities,
and to pay costs incurred by or on behalf of the department under ss. 16.858 and
16.895.

SECTION 318. 20.410 (1) (gd) of the statutes is amended to read:

20.410 (1) (gd) Sex offender management. The amounts in the schedule for the
supervision of persons on probation, parole, or extended supervision who are
required to register as sex offenders under s. 301.45, including lie detector tests given
under s. 301.132 and community treatment. All moneys received from sex offenders
under s. 301.45 (10) shall be credited to this appropriation account.

SECTION 319. 20.410 (1) (gk) of the statutes is created to read:

20.410 (1) (gk) Global positioning system tracking devices. All moneys received
from sex offenders who are required to pay for global positioning system tracking
deVICES under s. 301.48 (4) (b) for expenditures related to the global positioning
system tracking program under s. 301.48.

SECTION 320. 20.410 (1) (ko) of the statutes is amended to read:
20.410 (1) (ko) Prison industries principal repayment, interest and rebates. A sum sufficient from the moneys credited under par. (km) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, development, enlargement or improvement of equipment used in prison industries as authorized under s. 20.866 (2) (uy) and, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

Section 320f. 20.410 (1) (qm) of the statutes is amended to read:

20.410 (1) (qm) Computer recycling. From the recycling and renewable energy fund, the amounts in the schedule for the department to recycle computers.

Section 322. 20.410 (2) (a) of the statutes is amended to read:

20.410 (2) (a) General program operations. The amounts in the schedule for the general program operations of the parole earned release review commission.

Section 323. 20.410 (3) (d) of the statutes is renumbered 20.505 (6) (d) and amended to read:

20.505 (6) (d) Youth diversion. The amounts in the schedule for youth diversion services under s. 301.265 (1) and (3) 16.964 (8) (a) and (c).

Section 324. 20.410 (3) (e) of the statutes is amended to read:

20.410 (3) (e) Principal repayment and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of the department’s juvenile correctional facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).
SECTION 324g. 20.410 (3) (hm) of the statutes is amended to read:

20.410 (3) (hm) Juvenile correctional services. Except as provided in pars. (ho) and (hr), the amounts in the schedule for juvenile correctional services specified in s. 301.26 (4) (c) and (d). All moneys received from the sale of surplus property, including vehicles, from juvenile correctional institutions operated by the department, all moneys received as payments in restitution of property damaged at juvenile correctional institutions operated by the department, all moneys received from miscellaneous services provided at a juvenile correctional institution operated by the department, all moneys transferred from the appropriation account under pars. (ho) and (hr) as provided in 2005 Wisconsin Act 25, section 9209 (1x) 2007 Wisconsin Act .... (this act), section 9209 (1f), all moneys transferred under s. 301.26 (4) (cm), and, except as provided in par. (hr), all moneys received in payment for juvenile correctional services specified in s. 301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If moneys generated by the daily rate under s. 301.26 (4) (d), other than moneys generated under s. 301.26 (5) (b), exceed actual fiscal year institutional costs by 2% or more, all moneys in excess of that 2% shall be remitted to the counties during the subsequent calendar year or transferred to the appropriation account under par. (kx) during the subsequent fiscal year. Each county and the department shall receive a proportionate share of the remittance and transfer depending on the total number of days of placement at juvenile correctional institutions including the Mendota Juvenile Treatment Center. Counties shall use the funds for purposes specified in s. 301.26. The department shall deposit in the general fund the amounts transferred under this paragraph to the appropriation account under par. (kx). Notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and 20.903, the department may project a deficit in this appropriation account on June
30 of any odd-numbered year as provided in s. 301.26 (5) (a), and any such projected
deficit shall be recouped during the next fiscal biennium as provided in s. 301.26 (5)
(b).

SECTION 324h. 20.410 (3) (hm) of the statutes, as affected by 2007 Wisconsin
Act .... (this act), is amended to read:

20.410 (3) (hm) Juvenile correctional services. Except as provided in pars. (ho)
and (hr), the amounts in the schedule for juvenile correctional services specified in
s. 301.26 (4) (c) and (d). All moneys received from the sale of surplus property,
including vehicles, from juvenile correctional institutions operated by the
department, all moneys received as payments in restitution of property damaged at
juvenile correctional institutions operated by the department, all moneys received
from miscellaneous services provided at a juvenile correctional institution operated
by the department, all moneys transferred from the appropriation account under
pars. (ho) and (hr) as provided in 2007 Wisconsin Act .... (this act), section 9209 (1f),
all moneys transferred under s. 301.26 (4) (cm), and, except as provided in par. (hr),
all moneys received in payment for juvenile correctional services specified in s.
301.26 (4) (d), (dt), and (g) shall be credited to this appropriation account. If moneys
generated by the daily rate under s. 301.26 (4) (d), other than moneys generated
under s. 301.26 (5) (b), exceed actual fiscal year institutional costs by 2% or more, all
moneys in excess of that 2% shall be remitted to the counties during the subsequent
calendar year or transferred to the appropriation account under par. (kx) during the
subsequent fiscal year. Each county and the department shall receive a
proportionate share of the remittance and transfer depending on the total number
of days of placement at juvenile correctional institutions including the Mendota
Juvenile Treatment Center. Counties shall use the funds for purposes specified in
s. 301.26. The department shall deposit in the general fund the amounts transferred under this paragraph to the appropriation account under par. (kx). Notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and 20.903, the department may project a deficit in this appropriation account on June 30 of any odd-numbered year as provided in s. 301.26 (5) (a), and any such projected deficit shall be recouped during the next fiscal biennium as provided in s. 301.26 (5) (b).

**SECTION 324i.** 20.410 (3) (ho) of the statutes is amended to read:

20.410 (3) (ho) Juvenile residential aftercare. The amounts in the schedule for providing foster care, treatment foster care, group home care, and institutional child care to delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14), and 938.52. All moneys transferred under s. 301.26 (4) (cm) and all moneys received in payment for providing foster care, treatment foster care, group home care, and institutional child care to delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14), and 938.52 as specified in s. 301.26 (4) (e) and (ed) shall be credited to this appropriation account. If moneys generated by the daily rate exceed actual fiscal year foster care, treatment foster care, group home care, and institutional child care costs, that excess shall be transferred to the appropriation account under par. (hm) as provided in 2007 Wisconsin Act .... (this act), section 9209 (1f), except that if those moneys generated exceed those costs by 2% or more, all moneys in excess of 2% shall be remitted to the counties during the subsequent calendar year or transferred to the appropriation account under par. (kx) during the subsequent fiscal year. Each county and the department shall receive a proportionate share of the remittance and transfer depending on the total number of days of placement in foster care, treatment foster care, group home care or institutional child care. Counties shall use the funds for purposes specified in s. 301.26. The department shall deposit in the general fund the
amounts transferred under this paragraph to the appropriation account under par. (kx).

**SECTION 324k.** 20.410 (3) (ho) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

20.410 (3) (ho) **Juvenile residential aftercare.** The amounts in the schedule for providing foster care, treatment foster care, group home care, and institutional child care to delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14), and 938.52. All moneys transferred under s. 301.26 (4) (cm) and all moneys received in payment for providing foster care, treatment foster care, group home care, and institutional child care to delinquent juveniles under ss. 49.19 (10) (d), 938.48 (4) and (14), and 938.52 as specified in s. 301.26 (4) (e) and (ed) shall be credited to this appropriation account. If moneys generated by the daily rate exceed actual fiscal year foster care, treatment foster care, group home care, and institutional child care costs, that excess shall be transferred to the appropriation account under par. (hm) as provided in 2007 Wisconsin Act .... (this act), section 9209 (1f), except that if those moneys generated exceed those costs by 2% or more, all moneys in excess of 2% shall be remitted to the counties during the subsequent calendar year or transferred to the appropriation account under par. (kx) during the subsequent fiscal year. Each county and the department shall receive a proportionate share of the remittance and transfer depending on the total number of days of placement in foster care, treatment foster care, group home care or institutional child care. Counties shall use the funds for purposes specified in s. 301.26. The department shall deposit in the general fund the amounts transferred under this paragraph to the appropriation account under par. (kx).

**SECTION 325.** 20.410 (3) (k) of the statutes is repealed.
SECTION 326. 20.410 (3) (kj) of the statutes is renumbered 20.505 (6) (kj) and amended to read:

20.505 (6) (kj) Youth diversion program. The amounts in the schedule for youth diversion services under s. 301.265 (1) and (3) 16.964 (8) (a) and (c). All moneys transferred from the appropriation account under s. 20.455 (2) (i) 8. shall be credited to this appropriation account.

SECTION 327. 20.410 (3) (ko) of the statutes is amended to read:

20.410 (3) (ko) Interagency programs; community youth and family aids. All moneys transferred from the appropriation account under s. 20.435 (3) 20.437 (1) (nL) for the purposes of s. 301.26, to be used for those purposes.

SECTION 330. 20.432 (1) (kb) of the statutes is amended to read:

20.432 (1) (kb) Insurance and other information, counseling and assistance. The amounts in the schedule for the purpose of providing information and counseling on medicare supplemental insurance, long-term care insurance, and medical assistance eligibility requirements, training, educational materials, and technical assistance under s. 16.009 (2) (j). The office of the commissioner of insurance shall credit to this appropriation account amounts equal to the amounts in the schedule for the purposes of this paragraph, from the appropriation under s. 20.145 (1) (g) 1. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each fiscal year shall revert to the appropriation account under s. 20.145 (1) (g).

SECTION 330s. 20.434 of the statutes is created to read:

20.434 Board for people with developmental disabilities. There is appropriated to the board for people with developmental disabilities for the following program:
(1) **Developmental Disabilities.** (a) *General program operations.* The amounts in the schedule to be used for general program operations of the board for people with developmental disabilities.

   (mc) *Federal project operations.* All moneys received from the federal government as project operations under 42 USC 15021 to 15029, for the purposes for which provided.

   (md) *Federal project aids.* All moneys received from the federal government as aids under 42 USC 15021 to 15029, for the purposes for which provided.

**Section 331.** 20.435 (1) (ac) of the statutes is renumbered 20.437 (2) (ac) and amended to read:

   20.437 (2) (ac) *Child abuse and neglect prevention technical assistance.* The amounts in the schedule for child abuse and neglect prevention technical assistance and training under s. 46.515 48.983 (8).

**Section 335.** 20.435 (1) (gr) of the statutes is renumbered 20.437 (2) (gr) and amended to read:

   20.437 (2) (gr) *Supplemental food program for women, infants, and children administration.* All moneys received from the supplemental food enforcement surcharges on fines, forfeitures, and recoupments that are levied by a court under s. 253.06 49.17 (4) (c) and on forfeitures and recoupments that are levied by the department under s. 253.06 49.17 (5) (c) to finance fraud reduction in the supplemental food program for women, infants, and children under s. 253.06 49.17.

**Section 336.** 20.435 (2) (b) of the statutes is repealed.

**Section 337.** 20.435 (2) (bj) of the statutes is amended to read:

   20.435 (2) (bj) *Competency examinations and conditional and supervised release services.* Biennially, the amounts in the schedule for outpatient competency
examinations and treatment services; and for payment by the department of costs for treatment and services for persons released under s. 980.06 (2) (c), 1997 stats., s. 980.08 (5), 2003 stats., or s. 971.17 (3) (d) or (4) (e) or 980.08 (4) (g), for which the department has contracted with county departments under s. 51.42 (3) (aw) 1. d., with other public agencies, or with private agencies to provide the treatment and services.

SECTION 338. 20.435 (2) (bm) of the statutes is amended to read:

20.435 (2) (bm) Secure mental health units or facilities. The amounts in the schedule for the general program operations of the Wisconsin Resource Center under s. 46.056 and other secure mental health units or facilities under s. 980.065 for at which persons committed under s. 980.06 and are placed in a secure mental health unit or facility, but not for security operations at the Wisconsin Resource Center.

SECTION 339. 20.435 (2) (ee) of the statutes is amended to read:

20.435 (2) (ee) Principal repayment and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, development, enlargement, or extension of mental health facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 339m. 20.435 (2) (f) of the statutes is amended to read:

20.435 (2) (f) Energy costs. The amounts in the schedule to be used at mental health institutes and centers for the developmentally disabled to pay for utilities and for fuel, heat and air conditioning, to pay assessments levied by the department of administration under s. 16.847 (3) for debt service costs and energy cost savings generated at departmental facilities, and to pay costs incurred by or on behalf of the department under ss. 16.858 and 16.895.
SECTION 340. 20.435 (3) (title) of the statutes is renumbered 20.437 (1) (title).

SECTION 341. 20.435 (3) (a) of the statutes is renumbered 20.437 (1) (a) and
amended to read:

20.437 (1) (a) **General program operations.** The amounts in the schedule for
general program operations relating to children's services for children and families,
including field services and administrative services.

SECTION 341x. 20.435 (3) (bc) of the statutes is amended to read:

20.435 (3) (bc) **Grants for children’s community programs.** The amounts in the
schedule for grants for children’s community programs under s. 46.481 and 2007
Wisconsin Act .... (this act), section 9121 (9u). Notwithstanding ss. 20.001 (3) (a) and
20.002 (1), the department may transfer funds between fiscal years under this
paragraph. All moneys under this appropriation account that are distributed under
s. 46.481 or 2007 Wisconsin Act .... (this act), section 9121 (9u) but are not
encumbered by December 31 of each year lapse to the general fund on the next
January 1 unless carried forward to the next calendar year by the joint committee
on finance.

SECTION 342. 20.435 (3) (bc) of the statutes, as affected by 2007 Wisconsin Act
.... (this act), section 341x, is renumbered 20.437 (1) (bc) and amended to read:

20.437 (1) (bc) **Grants for children’s community programs.** The amounts in the
schedule for grants for children’s community programs under s. 46.481, 48.481 and
2007 Wisconsin Act .... (this act), section 9121, 9155 (9u). Notwithstanding ss. 20.001
(3) (a) and 20.002 (1), the department may transfer funds between fiscal years under
this paragraph. All moneys under this appropriation account that are distributed
under s. 46.481, 48.481 or 2007 Wisconsin Act .... (this act), section 9121, 9155 (9u) but
are not encumbered by December 31 of each year lapse to the general fund on the next
January 1 unless carried forward to the next calendar year by the joint committee on finance.

**SECTION 343.** 20.435 (3) (bm) of the statutes is repealed.

**SECTION 344.** 20.435 (3) (cd) of the statutes is renumbered 20.437 (1) (cd) and amended to read:

20.437 (1) (cd) *Domestic abuse grants.* The amounts in the schedule for the purposes of s. 46.95 49.165. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department under s. 46.95 49.165 (2) but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

**SECTION 345.** 20.435 (3) (cf) of the statutes is renumbered 20.437 (1) (cf).

**SECTION 346.** 20.435 (3) (cw) of the statutes is renumbered 20.437 (1) (cw).

**SECTION 347.** 20.435 (3) (cx) of the statutes is renumbered 20.437 (1) (cx).

**SECTION 348.** 20.435 (3) (da) of the statutes is renumbered 20.437 (1) (da).

**SECTION 349.** 20.435 (3) (dd) of the statutes is renumbered 20.437 (1) (dd).

**SECTION 350.** 20.435 (3) (dg) of the statutes is renumbered 20.437 (1) (dg).

**SECTION 351.** 20.435 (3) (eg) of the statutes is renumbered 20.437 (1) (eg) and amended to read:

20.437 (1) (eg) *Brighter futures initiative and tribal adolescent services.* The amounts in the schedule for the brighter futures initiative under s. 46.99 48.545 and for tribal adolescent services under s. 46.995 48.487.

**SECTION 352.** 20.435 (3) (f) of the statutes is renumbered 20.437 (1) (f) and amended to read:
20.437 (1) (f) **Second-chance homes.** The amounts in the schedule for grants for 2nd-chance homes under s. 46.997 48.647 (2) (a) and for an evaluation of that grant program under s. 46.997 48.647 (4). Notwithstanding s. 20.001 (3) (a) and 20.002 (1), the department of children and families shall transfer from this appropriation account to the appropriation account for the department of workforce development under s. 20.445 (3) under sub. (2) (dz) all funds allocated under s. 46.997 48.647 (2) (a) and (4) but unexpended by June 30 of each year.

**SECTION 353.** 20.435 (3) (fp) of the statutes is repealed.

**SECTION 354.** 20.435 (3) (gx) of the statutes is renumbered 20.437 (1) (gx).

**SECTION 355.** 20.435 (3) (hh) of the statutes is renumbered 20.437 (1) (hh) and amended to read:

20.437 (1) (hh) **Domestic abuse surcharge grants.** All moneys received from the domestic abuse surcharge on court fines, as authorized under s. 971.37 (1m) (c) 1. or 973.055, to provide grants to domestic abuse services organizations under s. 46.95 49.165.

**SECTION 356.** 20.435 (3) (i) of the statutes is renumbered 20.437 (1) (i).

**SECTION 357.** 20.435 (3) (j) of the statutes is renumbered 20.437 (1) (j) and amended to read:

20.437 (1) (j) **Statewide automated child welfare information system receipts.** All moneys received from counties under s. 46.45 48.565 (2) (a), for the costs of implementing and operating the statewide automated child welfare information system established under s. 46.03 48.47 (7g).

**SECTION 358.** 20.435 (3) (jb) of the statutes is renumbered 20.437 (1) (jb).

**SECTION 359.** 20.435 (3) (jj) of the statutes is renumbered 20.437 (1) (jj).

**SECTION 360.** 20.435 (3) (jm) of the statutes is renumbered 20.437 (2) (jm).
SECTION 361. 20.435 (3) (kc) of the statutes is renumbered 20.437 (1) (kc) and amended to read:

20.437 (1) (kc) Interagency and intra-agency aids; kinship care and long-term kinship care. The amounts in the schedule for payments under s. 48.57 (3m) and (3n). All moneys transferred from the appropriation account under s. 20.445 (3) sub. (2) (md) to this appropriation account shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year is transferred to the appropriation account under s. 20.445 (3) sub. (2) (kx).

SECTION 362. 20.435 (3) (kd) of the statutes is renumbered 20.437 (1) (kd) and amended to read:

20.437 (1) (kd) Kinship care and long-term kinship care assessments. The amounts in the schedule for assessments of kinship care relatives, as defined in s. 48.57 (3m) (a) 2., and long-term kinship care relatives, as defined in s. 48.57 (3n) (a) 2., who provide care and maintenance for children to determine if those kinship care relatives and long-term kinship care relatives are eligible to receive payments under s. 48.57 (3m) or (3n). All moneys transferred from the appropriation account under s. 20.445 (3) sub. (2) (md) to this appropriation account shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year is transferred to the appropriation account under s. 20.445 (3) sub. (2) (kx).

SECTION 363. 20.435 (3) (kw) of the statutes is renumbered 20.437 (1) (kw).

SECTION 364. 20.435 (3) (kx) of the statutes is renumbered 20.437 (1) (kx).

SECTION 366g. 20.435 (3) (ky) of the statutes is renumbered 20.437 (1) (ky).

SECTION 368g. 20.435 (3) (kz) of the statutes is renumbered 20.437 (1) (kz).

SECTION 369. 20.435 (3) (m) of the statutes is repealed.
SECTION 370. 20.435 (3) (ma) of the statutes is repealed.

SECTION 371. 20.435 (3) (mb) of the statutes is repealed.

SECTION 372. 20.435 (3) (mc) of the statutes is repealed.

SECTION 373. 20.435 (3) (md) of the statutes is repealed.

SECTION 374. 20.435 (3) (me) of the statutes is renumbered 20.437 (1) (me) and amended to read:

20.437 (1) (me) Federal block grant local assistance. All block grant moneys received from the federal government, as authorized by the governor under s. 16.54, for youth services local assistance for children and families, for the purposes for which received.

SECTION 375. 20.435 (3) (mw) of the statutes is renumbered 20.437 (1) (mw).

SECTION 376. 20.435 (3) (mx) of the statutes is renumbered 20.437 (1) (mx).

SECTION 377. 20.435 (3) (n) of the statutes is repealed.

SECTION 378. 20.435 (3) (na) of the statutes is repealed.

SECTION 379. 20.435 (3) (nL) of the statutes is repealed.

SECTION 380. 20.435 (3) (pd) of the statutes is renumbered 20.437 (1) (pd) and amended to read:

20.437 (1) (pd) Federal aid; state foster care and adoption services. All federal moneys received for meeting the costs of providing foster care, treatment foster care, institutional child care, and subsidized adoptions under ss. 48.48 (12) and 48.52, the cost of care for children under s. 49.19 (10) (d), the cost of providing, or contracting with private adoption agencies to assist the department in providing, services to children with special needs who are under the guardianship of the department to prepare those children for adoption, and the cost of providing postadoption services to children with special needs who have been adopted. Disbursements for foster care
under s. 46.03 (20) 49.32 (2) and for the purposes described under s. 48.627 may be
made from this appropriation.

**SECTION 381.** 20.435 (3) (pm) of the statutes is renumbered 20.437 (1) (pm).

**SECTION 382.** 20.435 (4) (b) of the statutes is amended to read:

20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts
in the schedule to provide a portion of the state share of Medical Assistance program
benefits administered under s. 49.45, for a portion of the Badger Care health care
program under s. 49.665, to provide a portion of the Medical Assistance program
benefits administered under s. 49.45 that are not also provided under par. (o), to fund
the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility
payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided
by resource centers under s. 46.283, for services under the family care benefit under
s. 46.284 (5), for assisting victims of diseases, as provided in ss. 49.68, 49.683, and
49.685, and for reduction of any operating deficits as specified in 2005 Wisconsin Act
15, section 3. Notwithstanding s. 20.002 (1), the department may transfer from this
appropriation account to the appropriation account under sub. (7) (kb) funds in the
amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001
(3) (b) and 20.002 (1), the department may credit or deposit into this appropriation
account and may transfer between fiscal years funds that it transfers from the
appropriation account under sub. (7) (kb) for the purposes specified in s. 46.485 (3r).
Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
account to the appropriation account under sub. (7) (bd) funds in the amount and for
the purposes specified in s. 49.45 (6v).

**SECTION 383.** 20.435 (4) (b) of the statutes, as affected by 2007 Wisconsin Act
.... (this act), is amended to read:
20.435 (4) (b) Medical Assistance program benefits. Biennially, the amounts in the schedule to provide a portion of the state share of Medical Assistance program benefits administered under s. 49.45 subch. IV of ch. 49, for a portion of the Badger Care health care program under s. 49.665, to provide a portion of the Medical Assistance program benefits administered under s. 49.45 subch. IV of ch. 49 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, for services under the family care benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss. 49.68, 49.683, and 49.685, and for reduction of any operating deficits as specified in 2005 Wisconsin Act 15, section 3. Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (kb) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation account and may transfer between fiscal years funds that it transfers from the appropriation account under sub. (7) (kb) for the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

SECTION 384. 20.435 (4) (bc) of the statutes is repealed.

SECTION 385. 20.435 (4) (bm) of the statutes is amended to read:

20.435 (4) (bm) Medical Assistance, food stamps, and Badger Care administration; contract costs, insurer reports, and resource centers. Biennially, the amounts in the schedule to provide a portion of the state share of administrative
contract costs for the Medical Assistance program under s. 49.45, the food stamp program under s. 49.79, and the Badger Care health care program under s. 49.665 and to provide the state share of administrative contract costs for the food stamp program under s. 49.79, other than payments to counties and tribal governing bodies under s. 49.78 (8), to develop and implement a registry of recipient immunizations, to reimburse insurers 3rd parties for their costs under s. 49.475, for costs associated with outreach activities, and for services of resource centers under s. 46.283. No state positions may be funded in the department of health and family services from this appropriation, except positions for the performance of duties under a contract in effect before January 1, 1987, related to the administration of the Medical Assistance program between the subunit of the department primarily responsible for administering the Medical Assistance program and another subunit of the department. Total administrative funding authorized for the program under s. 49.665 may not exceed 10% of the amounts budgeted under pars. (bc), (p), and (x).

**SECTION 386.** 20.435 (4) (bm) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

> 20.435 (4) (bm) **Medical Assistance, food stamps, and Badger Care administration; contract costs, reports, and resource centers.** Biennially, the amounts in the schedule to provide a portion of the state share of administrative contract costs for the Medical Assistance program under s. 49.45 subch. IV of ch. 49 and the Badger Care health care program under s. 49.665 and to provide the state share of administrative costs for the food stamp program under s. 49.79, other than payments to counties and tribal governing bodies under s. 49.78 (8), to develop and implement a registry of recipient immunizations, to reimburse 3rd parties for their costs under s. 49.475, for costs associated with outreach activities, and for services of resource...
centers under s. 46.283. No state positions may be funded in the department of
health and family services from this appropriation, except positions for the
performance of duties under a contract in effect before January 1, 1987, related to
the administration of the Medical Assistance program between the subunit of the
department primarily responsible for administering the Medical Assistance
program and another subunit of the department. Total administrative funding
authorized for the program under s. 49.665 may not exceed 10% of the amounts
budgeted under pars. (bc), (p), and (x).

SECTION 387. 20.435 (4) (bn) of the statutes is amended to read:

20.435 (4) (bn) Income maintenance. Biennially, the amounts in the schedule
for funeral expenses under s. 49.785, for administration of the food stamp
employment and training program under s. 49.79 (9), and for payments under s.
49.78 (8) relating to the administration of the Medical Assistance program, the
Badger Care health care program under s. 49.665, the food stamp program, and the
cemetery, funeral, and burial expenses program under s. 49.785.

SECTION 388. 20.435 (4) (bn) of the statutes, as affected by 2007 Wisconsin Act
.... (this act), is amended to read:

20.435 (4) (bn) Income maintenance. Biennially, the amounts in the schedule
for funeral expenses under s. 49.785, for administration of the food stamp
employment and training program under s. 49.79 (9), and for payments under s.
49.78 (8) relating to the administration of the Medical Assistance program under
subch. IV of ch. 49, the Badger Care health care program under s. 49.665, the food
stamp program, and the cemetery, funeral, and burial expenses program under s.
49.785.

SECTION 389. 20.435 (4) (gp) of the statutes is repealed.
SECTION 390. 20.435 (4) (h) of the statutes is amended to read:

20.435 (4) (h) General or medical assistance medical program; intergovernmental transfer. The As a continuing appropriation, the amounts in the schedule to provide supplemental payments to eligible health care providers that contract with Milwaukee County to provide health care services funded by a relief block grant under s. 49.025 or to provide benefits under the demonstration project under s. 49.45 (23). All moneys received from Milwaukee County for this either purpose shall be credited to this appropriation account.

SECTION 391. 20.435 (4) (im) of the statutes is amended to read:

20.435 (4) (im) Medical assistance; recovery of correct payments correct payment recovery; collections; other recoveries. All moneys received from the recovery of correct medical assistance payments under ss. 49.496 and 867.035 and rules promulgated under s. 46.286 (7) and all moneys received as collections and other recoveries from providers, drug manufacturers, and other 3rd parties under medical assistance performance-based contracts, for payments to counties and tribal governing bodies under s. 49.496 (4), for payment of claims under s. 867.035 (3), for payments to the federal government for its share of medical assistance benefits recovered, for the state share of medical assistance benefits provided under subch. IV of ch. 49 as specified in ss. 49.496 (5) and 867.035 (4), and for the state share of medical assistance benefits provided under s. 46.284 (5), and for costs related to collections and other recoveries.

SECTION 392. 20.435 (4) (jw) of the statutes is created to read:

20.435 (4) (jw) BadgerCare Plus administrative costs. Biennially, the amounts in the schedule to provide a portion of the state share of administrative costs for the BadgerCare Plus Medical Assistance program under s. 49.471. Ten percent of all
moneys received from penalty assessments under s. 49.471 (9) (c) shall be credited to this appropriation account.

**SECTION 392.** 20.435 (4) (jz) of the statutes is amended to read:

20.435 (4) (jz) *Medical Assistance and Badger Care cost sharing and employer penalty assessments.* All moneys received from in cost sharing from medical assistance recipients, including payments under s. 49.665 (5) and, all moneys received from penalty assessments under s. 49.665 (7) (b) 2., and 90 percent of all moneys received from penalty assessments under s. 49.471 (9) (c) to be used for the Badger Care health care program under s. 49.665 and for the Medical Assistance program under subch. IV of ch. 49.

**SECTION 393.** 20.435 (4) (o) of the statutes is amended to read:

20.435 (4) (o) *Federal aid; medical assistance.* All federal moneys received for meeting costs of Medical Assistance administered under ss. 46.284 (5), 49.45 and 49.665 and subch. IV of ch. 49, to be used for those purposes and for transfer to the Medical Assistance trust fund, for those purposes.

**SECTION 394.** 20.435 (4) (pa) of the statutes is amended to read:

20.435 (4) (pa) *Federal aid; Medical Assistance and food stamp contracts administration.* All federal moneys received for the federal share of the cost of contracting for payment and services administration and reporting, other than moneys received under par. (nn), to reimburse insurers 3rd parties for their costs under s. 49.475, for administrative contract costs for the food stamp program under s. 49.79, and for services of resource centers under s. 46.283.

**SECTION 395m.** 20.435 (4) (vt) of the statutes is repealed.

**SECTION 395p.** 20.435 (4) (xc) of the statutes is created to read:
20.435 (4) (xc) Hospital assessment fund; hospital payments and refunds. Biennially, from the hospital assessment fund, the amounts in the schedule to make increased payments and refunds to hospitals, as the Medical Assistance nonfederal share, in order to increase payment rates in excess of the aggregate inpatient and outpatient hospital payment rates in effect in 2006, for services provided under the Medical Assistance program administered under subch. IV of ch. 49 and the Badger Care health care program under s. 49.665.

**SECTION 395q.** 20.435 (4) (xd) of the statutes is created to read:

20.435 (4) (xd) Hospital assessment fund; Medical Assistance and Badger Care benefits. Biennially, from the hospital assessment fund, the amounts in the schedule to provide a portion of the state share of Medical Assistance program benefits administered under subch. IV of ch. 49 and to provide a portion of the costs of benefits under the Badger Care health care program under s. 49.665.

**SECTION 401.** 20.435 (5) (ab) of the statutes is renumbered 20.437 (2) (ab) and amended to read:

20.437 (2) (ab) Child abuse and neglect prevention grants. The amounts in the schedule for child abuse and neglect prevention grants under s. 46.515 48.983.

**SECTION 402.** 20.435 (5) (am) of the statutes is amended to read:

20.435 (5) (am) Services, reimbursement and payment related to human immunodeficiency virus. The amounts in the schedule for the purchase of services under s. 252.12 (2) (a) for individuals with respect to human immunodeficiency virus and related infections, including hepatitis C virus infection, to subsidize premium 330 payments under ss. 252.16 and 252.17, for grants for the prevention of human immunodeficiency virus infection and related infections, including hepatitis C virus infection, under s. 252.12 (2) (c) 2. and 3., and to reimburse or supplement the
reimbursement of the cost of AZT, pentamidine and certain other drugs under s. 49.686, and to pay for premiums and drug copayments under the pilot program under s. 49.686 (6).

**SECTION 403m.** 20.435 (5) (dg) of the statutes is created to read:

20.435 (5) (dg) *Clinic aids.* Biennially, the amounts in the schedule for aids under s. 146.68.

**SECTION 403r.** 20.435 (5) (dm) of the statutes is amended to read:

20.435 (5) (dm) *Rural health dental clinics.* The amounts in the schedule for the rural health dental clinics under s. 146.65 and grants under 2007 Wisconsin Act .... (this act), section 9121 (8x).

**SECTION 404.** 20.435 (5) (dn) of the statutes is renumbered 20.437 (2) (dn) and amended to read:

20.437 (2) (dn) *Food distribution grants.* The amounts in the schedule for grants for food distribution programs under ss. 46.75 and 46.77 49.171 and 49.1715.

**SECTION 405.** 20.435 (5) (em) of the statutes is renumbered 20.437 (2) (em) and amended to read:

20.437 (2) (em) *Supplemental food program for women, infants and children benefits.* As a continuing appropriation, the amounts in the schedule to provide a state supplement under s. 253.06 49.17 to the federal special supplemental food program for women, infants, and children authorized under 42 USC 1786.

**SECTION 405e.** 20.435 (5) (eu) of the statutes is created to read:

20.435 (5) (eu) *Reducing fetal and infant mortality and morbidity.* Biennially, the amounts in the schedule to provide services under 2007 Wisconsin Act .... (this act), section 9121 (6d).
SECTION 405f. 20.435 (5) (eu) of the statutes, as created by 2007 Wisconsin Act
.... (this act), is repealed.

SECTION 406. 20.435 (5) (ke) of the statutes is amended to read:
20.435 (5) (ke) **Cooperative American Indian health projects.** The amounts in
the schedule for grants for cooperative American Indian health projects under s.
146.19. All moneys transferred from the appropriation account under s. 20.505 (8)
(hm) 18b. shall be credited to this appropriation account. Notwithstanding s. 20.001
(3) (a), the unencumbered balance on June 30 of each year shall revert to the
appropriation account under s. 20.505 (8) (hm).

SECTION 408. 20.435 (6) (e) of the statutes is amended to read:
20.435 (6) (e) **Principal repayment and interest.** A sum sufficient to reimburse
s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
the development or improvement of the workshop for the blind and to make
payments under an agreement or ancillary arrangement entered into under s. 18.06
(8) (a).

SECTION 409. 20.435 (6) (gc) of the statutes is amended to read:
20.435 (6) (gc) **Disabled children children’s long-term support waiver waivers; state operations.** From all moneys received under ss. 46.03 (18) and 46.10 for services
for children reimbursed under a waiver under s. 46.27 (11), 46.275, or 46.278 or the
waiver requested under 2001 Wisconsin Act 16, section 9123 (16rs) or 2003
Wisconsin Act 33, section 9124 (8c) provided under the disabled children’s long-term
support program, as defined in s. 46.011 (1g), the amounts in the schedule for
collection of moneys received under ss. 46.03 (18) and 46.10 for services for children
reimbursed under a waiver under s. 46.27 (11), 46.275, or 46.278 or the waiver
requested under 2001 Wisconsin Act 16, section 9123 (16rs) or 2003 Wisconsin Act
33, section 9124 (8c) provided under the disabled children’s long-term support program.

**SECTION 410.** 20.435 (6) (gd) of the statutes is repealed.

**SECTION 411.** 20.435 (7) (b) of the statutes is amended to read:

20.435 (7) (b) *Community aids and Medical Assistance payments.* The amounts in the schedule for human services under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, for foster care, treatment foster care, and subsidized guardianship care under ss. 46.261 and 49.19 (10), for Medical Assistance payment adjustments under s. 49.45 (52), and for Medical Assistance payments under s. 49.45 (6tw) and (53). Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and family services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior year audit adjustments including those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.
**Section 412.** 20.435 (7) (bc) of the statutes is amended to read:

20.435 (7) (bc) *Grants for community programs.* The amounts in the schedule for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department of health and family services may credit or deposit into this appropriation funds for the purpose specified in s. 46.48 (13) that the department transfers from the appropriation under par. (bL) that are allocated by the department under that appropriation but unexpended or unencumbered on June 30 of each year. Except for amounts authorized to be carried forward under s. 46.48 and as otherwise provided in this paragraph, all funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall transfer from this appropriation account to the appropriation account for the department of workforce development children and families under s. 20.445 (3) 20.437 (2) (dz) funds allocated by the department under s. 46.48 (30) but unexpended on June 30 of each year.

**Section 413.** 20.435 (7) (bd) of the statutes is amended to read:

20.435 (7) (bd) *Community options program; pilot projects; family care benefit Long-term care programs.* The amounts in the schedule for assessments, case planning, services, administration and risk reserve escrow accounts under s. 46.27, for pilot projects under s. 46.271 (1), to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for services and supports under s. 46.2803 (2), and for the payment of premiums under s. 49.472 (5). If the department transfers funds to this appropriation from the
appropriation account under sub. (4) (b), the amounts in the schedule for the fiscal year for which the transfer is made are increased by the amount of the transfer for the purposes specified in s. 49.45 (6v). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this paragraph transfer moneys between fiscal years. Except for moneys authorized for transfer under this appropriation or under s. 46.27 (7) (fm) or (g), all moneys under this appropriation that are allocated under s. 46.27 and are not spent or encumbered by counties or by the department by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year by the joint committee on finance.

**SECTION 414.** 20.435 (7) (bt) of the statutes is amended to read:

20.435 (7) (bt) Early intervention services for infants and toddlers with disabilities. The As a continuing appropriation, the amounts in the schedule for the early intervention services under s. 51.44. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds distributed by the department under s. 51.44 but not encumbered by December 31 of each year shall lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.

**SECTION 415.** 20.435 (7) (g) of the statutes is created to read:

20.435 (7) (g) Long-term care; county contributions. All moneys received from counties as contributions to the family care program under s. 46.2805 to 46.2895, the Pace program described under s. 46.2805 (1) (a), and the Wisconsin Partnership Program described under s. 46.2805 (1) (b), to fund services under the family care benefit under s. 46.284 (5) and services under the Pace and Wisconsin Partnership programs.
SECTION 416. 20.435 (7) (h) of the statutes is amended to read:

20.435 (7) (h) Disabled children's long-term support waiver. All moneys received under ss. 46.03 (18) and 46.10 for services for children reimbursed under a waiver under s. 46.27 (11), 46.275, or 46.278 or the waiver requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c) provided under the disabled children’s long-term support program, as defined in s. 46.011 (1g), less the amounts appropriated under sub. (6) (gc), for distribution to counties according to a formula developed by the department as a portion of the state share of payments for services for children under the waiver under s. 46.278 or the waiver requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c) for services provided under the disabled children's long-term support program.

SECTION 417. 20.435 (7) (hy) of the statutes is amended to read:

20.435 (7) (hy) Services for drivers, local assistance. As a continuing appropriation, the amounts in the schedule for the purpose of s. 51.42 for drivers referred through assessment, to be allocated according to a plan developed by the department of health and family services. All moneys transferred from sub. (6) (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under sub. (6) (hx).

SECTION 417r. 20.435 (7) (md) of the statutes is amended to read:

20.435 (7) (md) Federal block grant aids. See sub. (9) (md). Notwithstanding the dollar amounts specified under ss. 46.40 (2m) (b), 46.485 (2g), 46.54, and 51.62 (3m), the department shall in each fiscal year expend under ss. 46.40 (2m) (b), 46.485 (2g), 46.54, and 51.62 (3m) any moneys that exceed $6,711,200 that are received
under this paragraph in that year under the federal community mental health
services block grant under 42 USC 300x to 300x–9.

SECTION 418. 20.435 (7) (o) of the statutes is amended to read:

20.435 (7) (o) Federal aid; community aids. All federal moneys received in
amounts pursuant to allocation plans developed by the department for the provision
or purchase of services authorized under par. (b); all federal moneys received as child
welfare funds under 42 USC 620 to 626 as limited under s. 48.985; all federal
temporary assistance for needy families moneys received under 42 USC 601 to 619
that are authorized to be used to purchase or provide social services under 42 USC
1397 to 1397e; all unanticipated federal social services block grant funds received
under 42 USC 1397 to 1397e, in accordance with s. 46.49 (2); and all federal moneys
received under 42 USC 1396 to 1396v in reimbursement of the cost of preventing
out-of-home placements of children, for distribution under s. 46.40. Disbursements
from this appropriation may be made directly to counties for social and mental
hygiene services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance
with federal requirements for the dispersal of federal funds.

SECTION 420. 20.435 (8) (mb) of the statutes is amended to read:

20.435 (8) (mb) Income augmentation services receipts. All moneys that are
received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd, and 42 USC 1396 to
1396v as the result of income augmentation activities for which the state has
contracted and all moneys that are received under 42 USC 1396 to 1396v in
reimbursement of the cost of providing targeted case management services to
children whose care is not eligible for reimbursement under 42 USC 670 to 679a, to
be used as provided in s. 46.46. All moneys received under this paragraph in excess
of the moneys necessary to support the costs specified in s. 46.46 shall be deposited
in the general fund as a nonappropriated receipt.

SECTION 422. 20.435 (8) (mm) of the statutes is amended to read:

20.435 (8) (mm) Reimbursements from federal government. All moneys
received from the federal government, other than moneys described under ss. 46.45
(2), 46.46, 49.45 (6u), and 49.49, that are intended to reimburse the state for
expenditures in previous fiscal years from general purpose revenue appropriations
whose purpose includes a requirement to match or secure federal funds and that
exceeded in those fiscal years the estimates reflected in the intentions of the
legislature and governor, as expressed by them in the budget determinations, and
the joint committee on finance, as expressed by the committee in any determinations,
and the estimates approved for expenditure by the secretary of administration under
s. 16.50 (2), for the purpose of paying federal disallowances, federal sanctions or
penalties and the costs of any corrective action affecting the department of health
and family services. Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year,
the amount determined by the department of administration under s. 16.54 (12) (d)
shall lapse to the general fund.

SECTION 423. 20.437 (intro.) of the statutes is created to read:

20.437 Children and families, department of. (intro.) There is
appropriated to the department of children and families for the following programs:

SECTION 424. 20.437 (1) (b) of the statutes is created to read:

20.437 (1) (b) Children and family aids payments. The amounts in the schedule
for services for children and families under s. 48.563, for reimbursement to counties
having a population of less than 500,000 for the cost of court attached intake services
under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, and for foster care,
treatment foster care, and subsidized guardianship care under ss. 48.645 and 49.19 (10). Social services disbursements under s. 49.32 (2) (b) may be made from this appropriation. Refunds received relating to payments made under s. 48.47 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of children and families may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under s. 48.569 (2) (b), from prior fiscal year audit adjustments. Except for amounts authorized to be carried forward under s. 48.565, all funds recovered under s. 48.569 (2) (b) and all funds allocated under s. 48.563 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

**SECTION 424e.** 20.437 (1) (bc) of the statutes, as affected by 2007 Wisconsin Act .... (this act), section 342, is amended to read:

20.437 (1) (bc) Grants for children’s community programs. The amounts in the schedule for grants for children’s community programs under s. 48.481 and 2007 Wisconsin Act .... (this act), section 9155 (9u). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All moneys under this appropriation account that are distributed under s. 48.481 or 2007 Wisconsin Act .... (this act), section 9155 (9u) but are not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.

**SECTION 425.** 20.437 (1) (gg) of the statutes is created to read:
20.437 (1) (gg) Collection remittances to local units of government. All moneys received under ss. 49.32 (1) and 49.345 for the purposes of remitting departmental collections under s. 49.32 (1) (g) or 49.345 (8) (g).

SECTION 426. 20.437 (1) (m) of the statutes is created to read:

20.437 (1) (m) Federal project operations. All moneys received from the federal government or any of its agencies for the state administration of specific limited term projects to be expended for the purposes specified.

SECTION 427. 20.437 (1) (ma) of the statutes is created to read:

20.437 (1) (ma) Federal project aids. All moneys received from the federal government or any of its agencies for specific limited term projects to be expended as aids to individuals or organizations for the purposes specified.

SECTION 428. 20.437 (1) (mb) of the statutes is created to read:

20.437 (1) (mb) Federal project local assistance. All moneys received from the federal government or any of its agencies for specific limited term projects to be expended as local assistance for the purposes specified.

SECTION 429. 20.437 (1) (mc) of the statutes is created to read:

20.437 (1) (mc) Federal block grant operations. All block grant moneys received from the federal government or any of its agencies for the state administration of federal block grants for the purposes specified.

SECTION 430. 20.437 (1) (md) of the statutes is created to read:

20.437 (1) (md) Federal block grant aids. All block grant moneys received from the federal government or any of its agencies to be expended as aids to individuals or organizations.

SECTION 431. 20.437 (1) (n) of the statutes is created to read:
20.437 (1) (n) Federal program operations. All moneys received from the federal government or any of its agencies for the state administration of continuing programs to be expended for the purposes specified.

SECTION 432. 20.437 (1) (na) of the statutes is created to read:

20.437 (1) (na) Federal program aids. All moneys received from the federal government or any of its agencies for continuing programs to be expended as aids to individuals or organizations for the purposes specified.

SECTION 433. 20.437 (1) (nL) of the statutes is created to read:

20.437 (1) (nL) Federal program local assistance. All moneys received from the federal government or any of its agencies for continuing programs to be expended as local assistance.

SECTION 434. 20.437 (1) (o) of the statutes is created to read:

20.437 (1) (o) Federal aid; children and family aids. All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b); all federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985; all federal temporary assistance for needy families moneys received under 42 USC 601 to 619 that are authorized to be used to purchase or provide social services under 42 USC 1397 to 1397e; all unanticipated federal social services block grant funds received under 42 USC 1397 to 1397e, in accordance with s. 48.568; for distribution under s. 48.563. Disbursements from this appropriation may be made directly to counties for services to children and families under s. 49.32 (2) (b) or 49.325 or directly to counties in accordance with federal requirements for the dispersal of federal funds.

SECTION 435. 20.437 (2) of the statutes is created to read:
20.437 (2) **Economic Support.** (m) *Federal project operations.* All moneys received from the federal government or any of its agencies for the state administration of specific limited-term projects to be expended for the purposes specified.

(na) *Federal program aids.* All moneys received from the federal government or any of its agencies for continuing programs to be expended as local assistance.

(nn) *Federal program operations.* All moneys received from the federal government or any of its agencies for the state administration of continuing programs to be expended for the purposes specified.

**Section 437.** 20.437 (3) of the statutes is created to read:

20.437 (3) **General Administration.** The amounts indicated in this subsection for expenses not immediately identifiable with a specific program. When practicable, the expenditures from the appropriations under this subsection shall be distributed to the various programs.

(a) *General program operations.* The amounts in the schedule for executive, management, and policy and budget services and activities.

(i) *Gifts and grants.* All moneys received from gifts, grants, donations, and burial trusts for the execution of the department’s functions consistent with the purpose of the gift, grant, donation, or trust.

(jb) *Fees for administrative services.* All moneys received from fees charged for providing state mailings, special computer services, training programs, printed materials, and publications, for the purpose of providing state mailings, special computer services, training programs, printed materials, and publications.

(k) *Administrative and support services.* The amounts in the schedule for administrative and support services and products. All moneys received as payment
for administrative and support services and products shall be credited to this
appropriation.

(kx) Interagency and intra-agency programs. All moneys received from other
state agencies and all moneys received by the department from the department not
credited to the appropriation account under par. (k) for the administration of
programs or projects for which received.

(ky) Interagency and intra-agency aids. All moneys received from other state
agencies and all moneys received by the department from the department not
credited to the appropriation account under par. (k) for aids to individuals and
organizations.

(kz) Interagency and intra-agency local assistance. All moneys received from
other state agencies and all moneys received by the department from the department
not credited to the appropriation account under par. (k) for local assistance.

(m) Federal project operations. All moneys received from the federal
government or any of its agencies for the state administration of specific limited term
projects to be expended for the purposes specified.

(ma) Federal project aids. All moneys received from the federal government
or any of its agencies for specific limited term projects to be expended as aids to
individuals or organizations for the purposes specified.

(mb) Federal project local assistance. All moneys received from the federal
government or any of its agencies for specific limited term projects to be expended
as local assistance for the purposes specified.

(mc) Federal block grant operations. All block grant moneys received from the
federal government for the state administration of federal block grants for the
purposes specified.
(md) Federal block grant aids. All block grant moneys received from the federal
government or any of its agencies to be expended as aids to individuals or
organizations.

(me) Federal block grant local assistance. All block grant moneys received from
the federal government or any of its agencies to be expended on local assistance to
counties and municipalities.

(mm) Reimbursements from federal government. All moneys received from the
federal government, other than moneys described under ss. 48.565 (2) and 48.567,
that are intended to reimburse the state for expenditures in previous fiscal years
from general purpose revenue appropriations whose purpose includes a requirement
to match or secure federal funds and that exceeded in those fiscal years the estimates
reflected in the intentions of the legislature and governor, as expressed by them in
the budget determinations, and the joint committee on finance, as expressed by the
committee in any determinations, and the estimates approved for expenditure by the
secretary of administration under s. 16.50 (2), for the purpose of paying federal
disallowances, federal sanctions or penalties and the costs of any corrective action
affecting the department of children and families. Notwithstanding s. 20.001 (3) (c),
at the end of each fiscal year, the amount determined by the department of
administration under s. 16.54 (12) (d) shall lapse to the general fund.

(mp) Income augmentation services receipts. All moneys that are received
under 42 USC 670 to 679a as the result of income augmentation activities for which
the state has contracted and all moneys that are received under 42 USC 1396 to
1396v in reimbursement of the cost of providing targeted case management services
to children whose care is not eligible for reimbursement under 42 USC 670 to 679a,
to be used as provided in s. 48.567. All moneys received under this paragraph in
excess of the moneys necessary to support the costs specified in s. 48.567 shall be

deposited into the general fund as a nonappropriated receipt.

(n) **Federal program operations.** All moneys received from the federal
government or any of its agencies for the state administration of continuing
programs to be expended for the purposes specified.

(na) **Federal program aids.** All moneys received from the federal government
or any of its agencies for continuing programs to be expended as aids to individuals
or organizations for the purposes specified.

(nL) **Federal program local assistance.** All moneys received from the federal
government or any of its agencies for continuing programs to be expended as local
assistance for the purposes specified.

(pz) **Indirect cost reimbursements.** All moneys received from the federal
government as reimbursement of indirect costs of grants and contracts for the
purposes authorized in s. 16.54 (9) (b).

**SECTION 440g.** 20.445 (1) (fm) of the statutes is created to read:

20.445 (1) (fm) **Youth summer jobs programs.** The amounts in the schedule for
youth summer jobs programs in 1st class cities under s. 106.18.

**SECTION 440m.** 20.445 (1) (fr) of the statutes is created to read:

20.445 (1) (fr) **Racine County workforce development grant.** The amounts in the
schedule for the grant to the Racine County Workforce Development Board under
2007 Wisconsin Act .... (this act), section 9154 (5k).

**SECTION 440p.** 20.445 (1) (fr) of the statutes, as created by 2007 Wisconsin Act
.... (this act), is repealed.

**SECTION 441.** 20.445 (1) (gd) of the statutes is amended to read:
20.445 (1) (gd) Unemployment interest and penalty payments. From the All
moneys received as interest and penalties collected under ss. 108.04 (11) (c) and (cm)
and (13) (c) and 108.22, assessments under s. 108.19 (1m), and forfeitures under s.
103.05 (5), all moneys not appropriated under pars. (ge), (gf), par. (gg), and (gi), and
all moneys transferred to this appropriation account from the appropriation account
under par. (gh) for the payment of benefits specified in s. 108.07 (5) and 1987
Wisconsin Act 38, section 132 (1) (c), for the payment of interest to employers under
s. 108.17 (3m), for research relating to the condition of the unemployment reserve
fund under s. 108.14 (6), for administration of the unemployment insurance program
and federal or state unemployment insurance programs authorized by the governor
under s. 16.54, for satisfaction of any federal audit exception concerning a payment
from the unemployment reserve fund or any federal aid disallowance concerning the
unemployment insurance program, for assistance to the department of justice in the
enforcement of ch. 108, for the payment of interest due on advances from the federal
unemployment account under title XII of the social security act to the unemployment
reserve fund, and for payments made to the unemployment reserve fund to obtain
a lower interest rate or deferral of interest payments on these advances, except as
otherwise provided in s. 108.20.

SECTION 442. 20.445 (1) (ge) of the statutes is repealed.
SECTION 443. 20.445 (1) (gf) of the statutes is repealed.
SECTION 445. 20.445 (1) (gi) of the statutes is repealed.
SECTION 447. 20.445 (3) (title) of the statutes is renumbered 20.437 (2) (title).
SECTION 448. 20.445 (3) (a) of the statutes is renumbered 20.437 (2) (a).
SECTION 449. 20.445 (3) (b) of the statutes is created to read:
20.445 (3) (b) Child support local assistance. As a continuing appropriation, the amounts in the schedule to be distributed as child support incentive payments under s. 49.24 (1).

SECTION 450. 20.445 (3) (b) of the statutes, as created by 2007 Wisconsin Act .... (this act), is renumbered 20.437 (2) (b).

SECTION 450d. 20.445 (3) (b) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

SECTION 451. 20.445 (3) (cm) of the statutes is renumbered 20.437 (2) (cm).

SECTION 452. 20.445 (3) (cr) of the statutes is renumbered 20.445 (1) (cr).

SECTION 453. 20.445 (3) (dz) of the statutes is renumbered 20.437 (2) (dz).

SECTION 453e. 20.445 (3) (e) of the statutes is created to read:

20.445 (3) (e) Grant to Racine YWCA. The amounts in the schedule for the grant under 2007 Wisconsin Act .... (this act), section 9154 (4k).

SECTION 453f. 20.445 (3) (e) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

SECTION 453m. 20.445 (3) (g) of the statutes is created to read:

20.445 (3) (g) Wisconsin Works; fraud investigation recoveries. All moneys received under s. 49.197 (2) to be used for the Wisconsin Works program and for the child care subsidy program under s. 49.155, as provided in s. 49.197 (2) (c).

SECTION 453p. 20.445 (3) (g) of the statutes, as created by 2007 Wisconsin Act .... (this act), is renumbered 20.437 (2) (g).

SECTION 454. 20.445 (3) (i) of the statutes is renumbered 20.437 (2) (i).

SECTION 455. 20.445 (3) (ja) of the statutes is amended to read:

20.445 (3) (ja) Child support state operations — fees and reimbursements. All moneys received from fees charged under s. 49.22 (8), from fees ordered or otherwise
owed under s. 767.57 (1e) (a), from fees collected under ss. 49.854 (11) (b) and 767.57
(b) 1m. and (c), from reimbursements under s. 108.13 (4) (f), from fees charged and incentive payments and collections retained under s. 49.22 (7m), and under s. 49.855 (4) from the department of revenue or the department of administration that were withheld by the department of revenue or the internal revenue service for unpaid fees ordered or otherwise owed under s. 767.57 (1e) (a), for costs associated with receiving and disbursing support and support-related payments, including any contract costs, and for administering the program under s. 49.22 and all other purposes specified in s. 49.22.

**SECTION 456.** 20.445 (3) (ja) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is renumbered 20.437 (2) (ja).

**SECTION 457.** 20.445 (3) (jb) of the statutes is renumbered 20.437 (2) (jb).

**SECTION 458.** 20.445 (3) (jL) of the statutes is renumbered 20.437 (2) (jL).

**SECTION 459.** 20.445 (3) (k) of the statutes is amended to read:

20.445 (3) (k) *Child support transfers.* All moneys transferred from the appropriation account under par. (r), to be expended under the Wisconsin Works program under subch. III of ch. 49 and under the work experience program for noncustodial parents under s. 49.36, to be distributed as child support incentive payments as provided in s. 49.24, for costs associated with receiving and disbursing support and support-related payments, including any contract costs, for administering the program under s. 49.22 and all other purposes specified in s. 49.22, and for the support of dependent children in accordance with applicable federal and state statutes, federal regulations, and state rules.

**SECTION 460d.** 20.445 (3) (k) of the statutes, as affected by 2007 Wisconsin Act .... (this act), section 459, is amended to read:
20.445 (3) (k) Child support transfers. All moneys transferred from the appropriation account under par. (r), to be expended under the Wisconsin Works program under subch. III of ch. 49 and under the work experience program for noncustodial parents under s. 49.36, to be distributed as child support incentive payments as provided in s. 49.24, for costs associated with receiving and disbursing support and support-related payments, including any contract costs, for administering the program under s. 49.22 and all other purposes specified in s. 49.22, and for the support of dependent children in accordance with applicable federal and state statutes, federal regulations, and state rules.

SECTION 460e. 20.445 (3) (k) of the statutes, as affected by 2007 Wisconsin Act .... (this act), section 459, is renumbered 20.437 (2) (k).

SECTION 463. 20.445 (3) (kp) of the statutes is renumbered 20.437 (2) (kp).

SECTION 464. 20.445 (3) (kx) of the statutes is amended to read:

20.445 (3) (kx) Interagency and intra-agency programs. All moneys received from other state agencies and all moneys received by the department from the department for the administration of programs and projects for which received, including administration of the food stamp employment and training program under s. 49.13, and for local assistance and aids to individuals and organizations relating to economic support.

SECTION 465. 20.445 (3) (kx) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is renumbered 20.437 (2) (kx).

SECTION 466. 20.445 (3) (L) of the statutes is renumbered 20.437 (2) (L).

SECTION 467. 20.445 (3) (ma) of the statutes is renumbered 20.437 (2) (ma).

SECTION 468. 20.445 (3) (mc) of the statutes is renumbered 20.437 (2) (mc) and amended to read:
20.437 (2) (mc) **Federal block grant operations.** The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for the purposes of operating and administering the block grant programs for which the block grant moneys are received and transferring moneys to the appropriation account under s. 20.435 (3) sub. (1) (kx). All block grant moneys received for these purposes from the federal government or any of its agencies for the state administration of federal block grants shall be credited to this appropriation account.

**SECTION 469.** 20.445 (3) (md) of the statutes is renumbered 20.437 (2) (md) and amended to read:

20.437 (2) (md) **Federal block grant aids.** The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and to be transferred to the appropriation accounts under ss. 20.435 (3) sub. (1) (kc), (kd), and (kx), and ss. 20.435 (4) (kz), (6) (kx), (7) (ky), and (8) (kx) and 20.835 (2) (kf). All block grant moneys received for these purposes from the federal government or any of its agencies and all moneys recovered under s. 49.143 (3) shall be credited to this appropriation account. The department may credit to this appropriation account the amount of any returned check, or payment in other form, that is subject to expenditure in the same contract period in which the original payment attempt was made, regardless of the fiscal year in which the original payment attempt was made.

**SECTION 470.** 20.445 (3) (me) of the statutes is renumbered 20.437 (2) (me).

**SECTION 471.** 20.445 (3) (mm) of the statutes is renumbered 20.437 (2) (mm) and amended to read:

20.437 (2) (mm) **Reimbursements from federal government.** All moneys received from the federal government that are intended to reimburse the state for expenditures in previous fiscal years from general purpose revenue appropriations
whose purpose includes a requirement to match or secure federal funds and that
exceeded in those fiscal years the estimates reflected in the intentions of the
legislature and governor, as expressed by them in the budget determinations, and
the joint committee on finance, as expressed by the committee in any determinations,
and the estimates approved for expenditure by the secretary of administration under
s. 16.50 (2), for the purpose of paying federal disallowances, federal sanctions or
penalties and the costs of any corrective action affecting the department of workforce
development children and families. Notwithstanding s. 20.001 (3) (c), at the end of
each fiscal year, the amount determined by the department of administration under
s. 16.54 (12) (d) shall lapse to the general fund.

**SECTION 472.** 20.445 (3) (n) of the statutes is renumbered 20.437 (2) (n).

**SECTION 473.** 20.445 (3) (na) of the statutes is renumbered 20.445 (1) (om).

**SECTION 474.** 20.445 (3) (nL) of the statutes is renumbered 20.437 (2) (nL).

**SECTION 475.** 20.445 (3) (pv) of the statutes is renumbered 20.437 (2) (pv) and
amended to read:

20.437 (2) (pv) *Electronic benefits transfer.* All moneys received from the
federal government for the electronic transfer of benefits administered by the
department of workforce development children and families, to be expended for the
purposes specified. Estimated disbursements under this paragraph shall not be
included in the schedule under s. 20.005.

**SECTION 476.** 20.445 (3) (pz) of the statutes is renumbered 20.437 (2) (pz).

**SECTION 477.** 20.445 (3) (q) of the statutes is renumbered 20.437 (2) (q).

**SECTION 478.** 20.445 (3) (qm) of the statutes is renumbered 20.437 (2) (qm).

**SECTION 479.** 20.445 (3) (r) of the statutes is renumbered 20.437 (2) (r) and
amended to read:
20.437 (2) (r) Support receipt and disbursement program; payments. From the support collections trust fund, except as provided in par. (qm), all moneys received under s. 49.854, except for moneys received under s. 49.854 (11) (b), all moneys received under ss. 767.57 and 767.75 for child or family support, maintenance, spousal support, health care expenses, or birth expenses, all other moneys received under judgments or orders in actions affecting the family, as defined in s. 767.001 (1), and all moneys received under s. 49.855 (4) from the department of revenue or the department of administration that were withheld by the department of revenue or the internal revenue service for delinquent child support, family support, or maintenance or outstanding court-ordered amounts for past support, medical expenses, or birth expenses, for disbursement to the persons for whom the payments are awarded, for returning seized funds under s. 49.854 (5) (f), and, if assigned under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm), for transfer to the appropriation account under par. (k). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 480. 20.445 (3) (s) of the statutes is renumbered 20.437 (2) (s).

SECTION 481. 20.445 (5) (a) of the statutes is amended to read:

20.445 (5) (a) General program operations; purchased services for clients. The As a continuing appropriation, the amounts in the schedule for general program operations, including field services to clients and administrative services, for the purchase of goods and services authorized under ch. 47, and for vocational rehabilitation and other independent living services to persons with disabilities. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds appropriated for a particular
fiscal year that are transferred to the next fiscal year and are not spent or
encumbered by September 30 of that next fiscal year shall lapse to the general fund
on the succeeding October 1.

**SECTION 482.** 20.455 (1) (gh) of the statutes is amended to read:

20.455 (1) (gh) *Investigation and prosecution.* Moneys received under ss. 23.22
(9) (c), 49.49 (6), 100.263, 133.16, 281.98 (2), 283.91 (5), 289.96 (3) (b), 291.97 (3),
292.99 (2), 293.87 (4) (b), 295.19 (3) (b) 2., and 299.97 (2), for the expenses of
investigation and prosecution of violations, including attorney fees.

**SECTION 483.** 20.455 (1) (kt) of the statutes is repealed.

**SECTION 484.** 20.455 (2) (e) of the statutes is repealed.

**SECTION 487.** 20.455 (2) (i) 8. of the statutes is amended to read:

20.455 (2) (i) 8. The amount transferred to s. 20.410 (3) 20.505 (6) (kj) shall be
the amount in the schedule under s. 20.410 (3) 20.505 (6) (kj).

**SECTION 488.** 20.455 (2) (i) 13m. of the statutes is repealed.

**SECTION 491.** 20.455 (2) (kh) of the statutes is repealed.

**SECTION 492.** 20.455 (2) (Lm) of the statutes is amended to read:

20.455 (2) (Lm) *Crime laboratories; deoxyribonucleic acid analysis.* All moneys
received from crime laboratories and drug law enforcement surcharges authorized
under s. 165.755 and deoxyribonucleic acid analysis surcharges authorized under s.
973.046 to provide deoxyribonucleic acid analysis, to administer s. 165.77, to pay for
the costs of mailing and materials under s. 165.76 for the submission of biological
specimens by the departments of corrections and health and family services and by
county sheriffs, and to transfer to the appropriation account under par. (kd) the
amounts in the schedule under par. (kd), and to transfer to the appropriation account
under par. (kh) the amounts in the schedule under par. (kh).
SECTION 493. 20.455 (2) (ma) of the statutes is repealed.

SECTION 494. 20.455 (5) (b) of the statutes is amended to read:

20.455 (5) (b) Awards for victims of crimes. The amounts in the schedule for the payment of compensation and funeral and burial expenses awards to the victims of crimes under subch. I of ch. 949.

SECTION 495. 20.455 (5) (d) of the statutes is created to read:


SECTION 496. 20.455 (5) (g) of the statutes is amended to read:

20.455 (5) (g) Crime victim and witness assistance surcharge, general services. The amounts in the schedule for purposes of ch. 950. All moneys received from part A of any crime victim and witness assistance surcharge authorized under s. 973.045 (1) that are allocated as part A of the surcharge under s. 973.045 (3) (1r) (a) 1., all moneys received from any crime victim and witness assistance surcharge authorized under s. 973.045 (1m), and all moneys received from any delinquency victim and witness assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this appropriation account. The department of justice shall transfer from this appropriation account to the appropriation account under par. (kj) the amounts in the schedule under par. (kj).

SECTION 497. 20.455 (5) (gc) of the statutes is amended to read:

20.455 (5) (gc) Crime victim and witness surcharge, sexual assault victim services. All moneys received from part B of any crime victim and witness assistance surcharge authorized under s. 973.045 (1) that are allocated as part B of the surcharge under s. 973.045 (3) (1r) (a) 2., to provide grants for sexual assault victim services under s. 165.93.
SECTION 498. 20.455 (5) (hh) of the statutes is created to read:

20.455 (5) (hh) Crime victim restitution. All moneys received by the department under s. 973.20 (9) (b) to provide crime victim restitution.

SECTION 499. 20.455 (5) (i) of the statutes is amended to read:

20.455 (5) (i) Victim compensation, inmate payments. All moneys received under s. 303.06 (2) and (3) for the administration of subch. I of ch. 949 and for crime victim compensation payments or services.

SECTION 500. 20.455 (5) (kj) of the statutes is amended to read:

20.455 (5) (kj) Victim payments, victim surcharge. The amounts in the schedule for the payment of compensation and funeral and burial expenses awards to the victims of crimes under subch. I of ch. 949. All moneys transferred from the appropriation account under par. (g) shall be credited to this appropriation account. If the department of justice determines that the total of the amounts in this appropriation account and the amounts for compensation and awards to victims of crime under subch. I of ch. 949 in the appropriation accounts under pars. (b), (h), (i) and (m) exceeds the amount needed to fully fund compensation and awards to victims of crimes under subch. I of ch. 949, the department of justice may transfer moneys from this appropriation account to the appropriation account under par. (kk). The amount transferred to the appropriation account under par. (kk) may not exceed the amount by which the total amounts appropriated under this paragraph and pars. (b), (h), (i) and (m) for compensation and awards to victims of crimes under subch. I of ch. 949 exceed the amount needed to fully fund compensation and awards to victims of crimes under subch. I of ch. 949.

SECTION 501. 20.465 (1) (d) of the statutes is amended to read:
20.465 (1) (d) **Principal repayment and interest.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of armories and other military facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**SECTION 501m.** 20.465 (1) (f) of the statutes is amended to read:

20.465 (1) (f) **Energy costs.** The amounts in the schedule to be used at military buildings under control of the department to pay for utilities and for fuel, heat and air conditioning, to pay assessments levied by the department of administration under s. 16.847 (3) for debt service costs and energy cost savings generated at departmental facilities, and to pay costs incurred by or on behalf of the department under ss. 16.858 and 16.895.

**SECTION 507.** 20.465 (3) (s) of the statutes is amended to read:

20.465 (3) (s) **Major disaster assistance; petroleum inspection fund.** From the petroleum inspection fund, as a continuing appropriation, the amounts in the schedule to provide payments for damages and costs incurred as the result of a major disaster.

**SECTION 508.** 20.485 (1) (a) of the statutes is created to read:

20.485 (1) (a) **Aids to indigent veterans.** The amounts in the schedule for the payment of assistance to indigent veterans under s. 45.43 to enable the veterans to reside at the Wisconsin Veterans Home at Union Grove.

**SECTION 509.** 20.485 (1) (f) of the statutes is amended to read:

20.485 (1) (f) **Principal repayment and interest.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of
facilities provided under s. 20.866 (2) (x) and (z) and to make payments under an
agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 509m. 20.485 (1) (gk) of the statutes is amended to read:

20.485 (1) (gk) Institutional operations. The amounts in the schedule for the
care of the members of the Wisconsin veterans homes under s. 45.50, for the payment
of stipends under s. 45.50 (9), for the transfer of moneys to the appropriation account
under s. 20.435 (4) (ky) for payment of the state share of the medical assistance costs
related to the provision of stipends under s. 45.50 (9), and for the transfer of moneys
under s. 45.03 (20). All moneys received under par. (m) and s. 45.51 (7) (b) and (8)
and all moneys received for the care of members under medical assistance, as defined
in s. 49.43 (8), shall be credited to this appropriation.

SECTION 510. 20.485 (1) (go) of the statutes is amended to read:

20.485 (1) (go) Self-amortizing facilities; principal repayment and interest.
From the moneys received for providing housing services at Wisconsin veterans
homes under s. 45.50 and the Northern Wisconsin Center for the Developmentally
Disabled, a sum sufficient to reimburse s. 20.866 (1) (u) for the principal and interest
costs incurred in acquiring, constructing, developing, enlarging or improving
facilities at Wisconsin veterans homes under s. 45.50 and the Northern Wisconsin
Center for the Developmentally Disabled and, to make the payments determined by
the building commission under s. 13.488 (1) (m) that are attributable to the proceeds
of obligations incurred in financing such facilities, and to make payments under an
agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 511. 20.485 (2) (a) of the statutes is created to read:
20.485 (2) (a) General program operations; loans and aids. From the general fund, the amounts in the schedule for general program operations of providing loans and aids to veterans.

**SECTION 512.** 20.485 (2) (ac) of the statutes is created to read:

20.485 (2) (ac) Veterans assistance. From the general fund, the amounts in the schedule for general program operations of the veterans assistance program under s. 45.43. No moneys may be encumbered or expended from this appropriation after June 30, 2009.

**SECTION 513.** 20.485 (2) (am) of the statutes is created to read:

20.485 (2) (am) Payments for outreach for homeless veterans. From the general fund, the amounts in the schedule for the payments under 2007 Wisconsin Act .... (this act), section 9153 (1). No money may be encumbered or expended from this appropriation after June 30, 2009.

**SECTION 513g.** 20.485 (2) (e) of the statutes is created to read:

20.485 (2) (e) Korean War memorial grant. From the general fund, the amounts in the schedule for the refurbishment of the Korean War memorial at Plover. No moneys may be encumbered from this appropriation after June 30, 2008.

**SECTION 513m.** 20.485 (2) (f) of the statutes is amended to read:

20.485 (2) (f) Mission welcome home. From the general fund, the amounts in the schedule to provide payments under s. 45.03 (13) (j). No moneys may be encumbered from the appropriation under this paragraph after June 30, 2007 2009.

**SECTION 514.** 20.485 (2) (m) of the statutes is amended to read:

20.485 (2) (m) Federal aid payments; veterans training assistance. All moneys received from the federal government for the education and training of war orphans assistance to veterans and their dependents to be expended for the purposes
specified or for the use of department facilities to be expended for any purpose authorized by law.

SECTION 515. 20.485 (3) (t) of the statutes is amended to read:

20.485 (3) (t) Debt service. As a continuing appropriation from the veterans mortgage loan repayment fund, all moneys deposited and held in accounts in the veterans mortgage loan repayment fund to reimburse s. 20.866 (1) (u) for the payment of debt service costs incurred in providing veterans mortgage loans under s. 45.37 (6) (a) and for debt service costs incurred in contracting public debt for any of the purposes under s. 18.04 (5), for these purposes and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 516. 20.485 (4) (qm) of the statutes is amended to read:

20.485 (4) (qm) Repayment of principal and interest. From the veterans trust fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of veterans cemeteries provided under s. 20.866 (2) (z) and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 516c. 20.485 (4) (r) of the statutes is amended to read:

20.485 (4) (r) Cemetery energy costs. From the veterans trust fund, the amounts in the schedule to be used at the veterans memorial cemeteries operated under s. 45.61 for utilities and for fuel, heat and air conditioning, to pay assessments levied by the department of administration under s. 16.847 (3) for debt service costs and energy cost savings generated at departmental facilities, and for costs incurred by or on behalf of the department of veterans affairs under ss. 16.858 and 16.895.

SECTION 516d. 20.490 (5) (q) of the statutes is amended to read:
20.490 (5) (q) Recycling and renewable energy fund transfer to Wisconsin development reserve fund. From the recycling and renewable energy fund, as a continuing appropriation, the amounts in the schedule to be transferred to the Wisconsin development reserve fund under s. 234.93.

SECTION 516e. 20.505 (1) (e) of the statutes is created to read:

20.505 (1) (e) Indigent civil legal services. The amounts in the schedule to provide grants for the provision of civil legal services to indigent persons under s. 16.19.

SECTION 517is. 20.505 (1) (is) of the statutes is amended to read:

20.505 (1) (is) Information technology and communications services; nonstate entities. From the sources specified in ss. 16.972 (2) (b) and (c), 16.974 (2) and (3), and 16.997 (2) (d), to provide computer, telecommunications, electronic communications, and supercomputer services, but not integrated business information system services under s. 16.971 (2) (cf), to state authorities, units of the federal government, local governmental units, and entities in the private sector, the amounts in the schedule.

SECTION 517iv. 20.505 (1) (iv) of the statutes is created to read:

20.505 (1) (iv) Integrated business information system; nonstate entities. All moneys received from any authority, as defined in s. 16.97 (2), or local governmental unit, as defined in s. 16.97 (7), for information system purposes under s. 16.971 (2) (cf), to be used for those purposes.

SECTION 517kd. 20.505 (1) (kd) of the statutes is created to read:

20.505 (1) (kd) Integrated business information system. All moneys received from any agency, as defined in s. 16.97 (1m), for information technology purposes under s. 16.971 (2) (cf), to be used for those purposes.
SECTION 517kL. 20.505 (1) (kL) of the statutes is amended to read:

20.505 (1) (kL) Printing, mail, communication, and information technology services; agencies. From the sources specified in ss. 16.971, 16.972, 16.973, and 16.974 (3), to provide printing, mail processing, electronic communications, and information technology development, management, and processing services, but not integrated business information system services under s. 16.971 (2) (cf), to state agencies, the amounts in the schedule.

SECTION 519. 20.505 (2) (am) of the statutes is amended to read:

20.505 (2) (am) Costs and judgments. The amounts in the schedule A sum sufficient for costs and judgments under s. 175.40 (6m) (c) 1. or 2.

SECTION 520. 20.505 (4) (bm) of the statutes is created to read:

20.505 (4) (bm) Aid to The Wisconsin Covenant Foundation, Inc. The amounts in the schedule for aids to The Wisconsin Covenant Foundation, Inc., to be used for promoting attendance at nonprofit postsecondary educational institutions in this state and for salary, travel, and other expenses directly incurred by The Wisconsin Covenant Foundation, Inc., in its postsecondary education promotional activities, subject to s. 16.257 (2).

SECTION 522. 20.505 (4) (dr) of the statutes is repealed.

SECTION 523. 20.505 (4) (es) of the statutes is amended to read:

20.505 (4) (es) Principal, interest, and rebates; general purpose revenue — schools. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to school districts under s. 16.995 and, to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m), to the extent that these costs and payments are not paid under par. (ha), and to make
payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 524. 20.505 (4) (et) of the statutes is amended to read:

20.505 (4) (et) Principal, interest, and rebates; general purpose revenue — public library boards. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to public library boards under s. 16.995 and, to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m), to the extent that these costs and payments are not paid under par. (hb), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 524w. 20.505 (4) (h) of the statutes is amended to read:

20.505 (4) (h) Program services. The amounts in the schedule to carry out the responsibilities of divisions, commissions, and boards attached to the department of administration, other than the board on aging and long-term care, the board for people with developmental disabilities, and the public records board, and to carry out the responsibilities of special and executive committees. All moneys received from fees which are authorized by law or administrative rule to be collected by any division, board or commission attached to the department, other than the board on aging and long-term care, the board for people with developmental disabilities, and the public records board, and all moneys received from fees that are authorized by law or executive order to be collected by any special or executive committee shall be credited to this appropriation account and used to carry out the purposes for which collected.

SECTION 525. 20.505 (4) (ha) of the statutes is amended to read:
20.505 (4) (ha) Principal, interest, and rebates; program revenue — schools. All moneys received under s. 16.995 (3) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to school districts under s. 16.995 and, to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 526. 20.505 (4) (hb) of the statutes is amended to read:

20.505 (4) (hb) Principal, interest, and rebates; program revenue — public library boards. All moneys received under s. 16.995 (3) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to public library boards under s. 16.995 and, to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 527. 20.505 (4) (kp) of the statutes is amended to read:

20.505 (4) (kp) Hearings and appeals fees. The amounts in the schedule for hearings and appeals services to the department of health and family services under s. 227.43 (1) (bu), the department of workforce development children and families under s. 227.43 (1) (by), and to all agencies under s. 227.43 (1m). All moneys received from the fees charged under s. 227.43 (3) (c), (d), and (e) shall be credited to this appropriation account.

SECTION 529. 20.505 (4) (mp) of the statutes is amended to read:

20.505 (4) (mp) Federal e-rate aid. All federal moneys received under 47 USC 254 for the provision of educational telecommunications access to educational
agencies under s. 16.997 to pay administrative expenses relating to the receipt and
disbursement of those federal moneys and, to reimburse pars. (es) and (et) as
provided in s. 16.995 (3m), and, to the extent that sufficient moneys for the provision
of that access are available after payment of those expenses and that reimbursement,
to make payments to telecommunications providers that under contracts under s.
16.971 (13), (14), (15), or (16) provide that access to educational agencies that are
eligible for a rate discount for telecommunications services under 47 USC 254; and
all federal moneys received under 47 USC 254 for the provision of additional
educational telecommunications access to educational agencies under s. 16.998 to
reduce the rates charged those educational agencies for those services as provided
in s. 16.998.

SECTION 530. 20.505 (4) (mr) of the statutes is repealed.

SECTION 531. 20.505 (4) (s) of the statutes is amended to read:

20.505 (4) (s) Telecommunications access; school districts. Biennially, from the
universal service fund, the amounts in the schedule to make payments to
telecommunications providers under contracts under s. 16.971 (13) to the extent that
the amounts due are not paid from the appropriation under sub. (1) (is), and to make
grants to school district consortia under s. 16.997 (7), and, prior to January 1, 2006,
to make grants to school districts under s. 16.997 (6).

SECTION 532. 20.505 (4) (tm) of the statutes is amended to read:

20.505 (4) (tm) Telecommunications access; private schools. Biennially, from
the universal service fund, the amounts in the schedule to make payments to
telecommunications providers under contracts under s. 16.971 (15) to the extent that
the amounts due are not paid from the appropriation under sub. (1) (is) and, prior
to January 1, 2006, to make grants to private schools under s. 16.997 (6).
SECTION 533. 20.505 (5) (c) of the statutes is amended to read:

20.505 (5) (c) Principal repayment and interest; Black Point Estate. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in adapting for public use the property known as Black Point Estate and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 534. 20.505 (5) (g) of the statutes is amended to read:

20.505 (5) (g) Principal repayment, interest and rebates; parking. From the fees collected under s. 16.843 (2) (cm), a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition for and construction of parking located in the city of Madison, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing parking, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 534m. 20.505 (5) (ka) of the statutes is amended to read:

20.505 (5) (ka) Facility operations and maintenance; police and protection functions. The amounts in the schedule for the purpose of financing the costs of operation of state−owned or operated facilities that are not funded from other appropriations, including custodial and maintenance services; minor projects; utilities, fuel, heat and air conditioning; assessments levied by the department under s. 16.847 (3) for debt service costs and energy cost savings generated at departmental facilities; costs incurred under ss. 16.858 and 16.895 by or on behalf of the department; and supplementing the costs of operation of child care facilities for children of state employees under s. 16.841; and for police and protection functions under s. 16.84 (2) and (3). All moneys received from state agencies for the
operation of such facilities, parking rental fees established under s. 16.843 (2) (bm) and miscellaneous other sources, all moneys received from assessments under s. 16.895, all moneys received for the performance of gaming protection functions under s. 16.84 (3), and all moneys transferred from the appropriation account under s. 20.865 (2) (e) for this purpose shall be credited to this appropriation account.

SECTION 535. 20.505 (5) (kc) of the statutes is amended to read:

20.505 (5) (kc) Principal repayment, interest and rebates. All moneys transferred from par. (ka), to be transferred to the appropriation under s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of facilities housing state agencies and, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing such facilities, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 535m. 20.505 (5) (kd) of the statutes is created to read:

20.505 (5) (kd) Energy conservation construction projects; principal repayment, interest and rebates. All moneys received by the department from agencies, as defined in s. 16.70 (1e), in payment of assessments under s. 16.847 (3), and all moneys transferred from other appropriation accounts under s. 16.847 (3), for the purpose of reimbursing s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing energy conservation construction projects at state facilities, for the purpose of transferring to the appropriation account under par. (ke) the revenues from assessments collected from agencies under s. 16.847 (3) in excess of the amount required to make the payments required under this paragraph, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are
attributable to the proceeds of obligations incurred in financing energy conservation
construction projects at state facilities, and to make payments under an agreement
or ancillary arrangement entered into under s. 18.06 (8) (a). Annually no later than
June 30, the department shall transfer from this appropriation account to the
appropriation account under par. (ke) an amount equal to the excess assessments
collected by the department under s. 16.847 (3) during the fiscal year ending on that
June 30.

**SECTION 535n.** 20.505 (5) (ke) of the statutes is created to read:

20.505 (5) (ke) Additional energy conservation construction projects. All
moneys transferred from the appropriation account under par. (kd) for the purpose
of providing additional funding to agencies, as defined in s. 16.70 (1e), for energy
conservation construction projects at state facilities under the jurisdiction of the
agencies as provided in s. 16.847 (2).

**SECTION 536.** 20.505 (6) (b) of the statutes is amended to read:

20.505 (6) (b) Alternatives to prosecution and incarceration for persons who use
alcohol or other drugs; presentencing assessments. The amounts in the schedule for
making grants to counties under s. 16.964 (12) (b) and entering into contracts under
s. 16.964 (12) (j) and for making grants under 2007 Wisconsin Act .... (this act),
section 9101 (4).

**SECTION 536m.** 20.505 (6) (f) of the statutes is created to read:

20.505 (6) (f) Child advocacy centers. The amounts in the schedule for grants
to child advocacy centers under s. 16.964 (14).

**SECTION 539.** 20.505 (6) (k) of the statutes is amended to read:

20.505 (6) (k) Law enforcement programs and youth diversion —
administration. The amounts in the schedule for administering grants for law
enforcement assistance and for administering the youth diversion program under s. 16.964 (8). All moneys transferred from the appropriation account under s. 20.455 (2) (i) 13. shall be credited to this appropriation account.

**SECTION 541.** 20.505 (8) (hm) 2m. of the statutes is repealed.

**SECTION 542.** 20.505 (8) (hm) 4d. of the statutes is created to read:

20.505 (8) (hm) 4d. The amount transferred to s. 20.245 (1) (k) shall be the amount in the schedule under s. 20.245 (1) (k).

**SECTION 542g.** 20.505 (8) (hm) 21. of the statutes is created to read:

20.505 (8) (hm) 21. The amount transferred to s. 20.435 (3) (kz) shall be $500,000 in fiscal year 2007-08.

**SECTION 543g.** 20.511 (1) (i) of the statutes, as created by 2007 Wisconsin Act 1, is amended to read:

20.511 (1) (i) General program operations Elections administration; program revenue. The amounts in the schedule for general program operations of the board the administration of chs. 5 to 12. All moneys received from fees imposed under ss. s. 11.055 (1) and 13.75 shall be credited to this appropriation account.

**SECTION 543r.** 20.511 (1) (im) of the statutes is created to read:

20.511 (1) (im) Lobbying administration; program revenue. The amounts in the schedule for the administration of subch. III of ch. 13. All moneys received from the fees imposed under s. 13.75 shall be credited to this appropriation account.

**SECTION 543t.** 20.515 (1) (ut) of the statutes, as affected by 2005 Wisconsin Act 228, is amended to read:

20.515 (1) (ut) Health insurance data collection and analysis contracts. From the public employee trust fund, the amounts in the schedule for the costs of
contracting for insurance data collection and analysis services under s. ss. 40.03 (6) (j) and 153.05 (2r).

SECTION 545. 20.545 (1) (km) of the statutes is amended to read:

20.545 (1) (km) **Collective bargaining grievance arbitrations.** The amounts in the schedule for the payment of the state’s share of costs related to collective bargaining grievance arbitrations under s. 111.86. All moneys received from state agencies for the purpose of reimbursing the state’s share of the costs related to grievance arbitrations under s. 111.86 **and to reimburse the state’s share of costs for training related to grievance arbitrations** shall be credited to this appropriation account.

SECTION 546. 20.550 (1) (f) of the statutes is amended to read:

20.550 (1) (f) **Transcripts, discovery, and interpreters.** The amounts in the schedule for the costs of interpreters and discovery materials and for the compensation of court reporters or clerks of circuit court for preliminary examination, trial, and appeal transcripts, and the payment of related costs under s. 967.06 (3).

SECTION 547. 20.550 (1) (L) of the statutes is amended to read:

20.550 (1) (L) **Private bar and investigator reimbursement; payments for legal representation.** All moneys received, after first deducting the amounts appropriated under par. (fb), from persons as payment for legal representation to be used for the reimbursement of private attorneys appointed to act as counsel for a child or an indigent person under s. 977.08 and for reimbursement for contracting for services of private investigators.

SECTION 548. 20.566 (1) (go) of the statutes is renumbered 20.566 (2) (hm).

SECTION 548m. 20.566 (1) (h) of the statutes is amended to read:
20.566 (1) (h) Debt collection. From moneys received from the collection of debts owed to state agencies under ss. 71.93 and 565.30 (5), from the collection of unpaid fines, forfeitures, costs, fees, surcharges, and restitution payments under s. 565.30 (5r) (b), from the collection of fees under s. 73.03 (52) and (52n), and from moneys received from the collection of debts owed to municipalities and counties under s. 71.935, the amounts in the schedule to pay the administrative expenses of the department of revenue for the collection of those debts, fines, forfeitures, costs, surcharges, fees, and restitution payments. Notwithstanding s. 20.001 (3) (a), at the end of the fiscal year the unencumbered balance of this appropriation account lapses to the general fund.

SECTION 549. 20.566 (1) (hb) of the statutes is created to read:

20.566 (1) (hb) Collections by the department. From moneys received from the collection of extraordinary, targeted state delinquent taxes, the amounts in the schedule to pay for the costs of collecting those taxes. Notwithstanding s. 20.001 (3) (a), at the end of the fiscal year, the unencumbered balance of this appropriation account lapses to the general fund.

SECTION 550. 20.566 (1) (ho) of the statutes is created to read:

20.566 (1) (ho) Collections under multistate streamlined sales tax project. From moneys collected under the multistate streamlined sales tax project as provided under s. 73.03 (28e), a sum sufficient to pay the dues necessary to participate in the governing board of the multistate streamlined sales tax project.

SECTION 551. 20.566 (1) (hp) (title) of the statutes is amended to read:

20.566 (1) (hp) (title) Administration of endangered resources; professional football district; breast cancer research; fire fighters memorial; veterans trust fund;
multiple sclerosis programs; prostate cancer research income tax checkoff voluntary payments.

**SECTION 551.** 20.566 (1) (q) of the statutes is amended to read:

20.566 (1) (q) Recycling surcharge administration. From the recycling and renewable energy fund, the amounts in the schedule for the costs, including data processing costs, incurred in administering the recycling surcharge under subch. VII of ch. 77.

**SECTION 552.** 20.566 (2) (am) of the statutes is repealed.

**SECTION 553.** 20.566 (2) (b) of the statutes is created to read:

20.566 (2) (b) Integrated property assessment system technology. The amounts in the schedule for technology expenses necessary to create an integrated property assessment system, including expenses necessary to publish the manual under s. 73.03 (2a) on the Internet.

**SECTION 554.** 20.566 (2) (hi) of the statutes is repealed.

**SECTION 555.** 20.566 (3) (gm) of the statutes is amended to read:

20.566 (3) (gm) Reciprocity agreement and publications. The amounts in the schedule to provide services for the Minnesota income tax reciprocity agreement under s. 71.10 (7) and for publications except as provided in par. (g) and sub. (2) (hi) (b). All moneys received by the department of revenue in return for the provision of these services shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), at the end of the 2006–07 fiscal year, the unencumbered balance of this appropriation account shall lapse to the general fund.

**SECTION 555f.** 20.566 (7) (v) of the statutes is amended to read:

20.566 (7) (v) Investment and local impact fund. From the investment and local impact fund, all moneys received under s. 70.395 (1e) and (2) (dc) and (dg), less the
moneys appropriated under ss. 20.143 (1) (r) and s. 20.370 (2) (gr), to be disbursed under ss. 70.395 (2) (d) to (g), 293.33 (4) and 293.65 (5) (a).

**SECTION 557g.** 20.665 (1) (d) of the statutes is repealed.

**SECTION 557r.** 20.670 of the statutes is created to read:

**20.670 Judicial council.** There is appropriated to the judicial council for the following programs:

1. **(1) Advisory services to the courts and the legislature.** (a) General program operations. The amounts in the schedule for the program under s. 758.13.
2. (m) Federal aid. All federal moneys received as authorized under s. 16.54 to carry out the purposes for which made and received.

**SECTION 558.** 20.680 (2) (j) of the statutes is amended to read:

**20.680 (2) (j) Court information systems.** All moneys received under s. 758.19 (4m), all moneys received under ss. 814.61, 814.62, and 814.63 that are required to be credited to this appropriation account under those sections, and one-half of the moneys received under s. 814.86 (1) for the operation of circuit court automated information systems under s. 758.19 (4).

**SECTION 558d.** 20.765 (1) (d) of the statutes is amended to read:

**20.765 (1) (d) Legislative documents.** A sum sufficient to pay legislative expenses for acquisition, production, retention, sales and distribution of legislative documents authorized under ss. 13.17, 13.90 (1) (g), 13.92 (1) (e), 13.93 (3) and (2m), and 35.78 (1) or the rules of the senate and assembly, except as provided in sub. (3) (em).

**SECTION 558g.** 20.765 (1) (e) of the statutes is created to read:

**20.765 (1) (e) Gifts, grants, and bequests.** All moneys received from gifts, grants, and bequests to carry out the purposes for which made.
**SECTION 558h.** 20.765 (3) (a) of the statutes is amended to read:

20.765 (3) (a) Revisor of statutes bureau. For the revisor of statutes bureau, biennially, the amounts in the schedule for general program operations under s. 13.93, 2005 stats. No moneys may be encumbered or expended from this appropriation after June 30, 2008.

**SECTION 558t.** 20.765 (3) (g) of the statutes is amended to read:

20.765 (3) (g) Gifts and grants to service agencies. For the legislative service agency under s. 13.81, 13.82, 13.90, 13.91, 13.92, 13.93, 13.94, 13.95 or 13.96 to which directed, as a continuing appropriation, all gifts, grants, bequests and devises for the purposes for which made not inconsistent with said sections.

**SECTION 568h.** 20.835 (2) (bn) of the statutes is created to read:

20.835 (2) (bn) Dairy manufacturing facility investment credit. The amounts in the schedule to make the payments under ss. 71.07 (3p), 71.28 (3p), and 71.47 (3p).

**SECTION 569.** 20.835 (2) (kf) of the statutes is amended to read:

20.835 (2) (kf) Earned income tax credit; temporary assistance for needy families. The amounts in the schedule to be used to pay, to the extent permitted under federal law, the claims approved under s. 71.07 (9e). All moneys transferred from the appropriation account under s. 20.445 (3) 20.437 (2) (md) shall be credited to this appropriation account.

**SECTION 570.** 20.835 (3) (b) of the statutes is amended to read:

20.835 (3) (b) School levy tax credit and first dollar credit. A sum sufficient to make the payments under s. 79.10 (4) and (5m).

**SECTION 571.** 20.855 (1) (a) of the statutes is amended to read:

20.855 (1) (a) Obligation on operating notes. A sum sufficient to pay principal, interest and premium, if any, due on operating notes, including amounts due on
periodic payments, and to make payments under an agreement or ancillary arrangement entered into under s. 18.73 (5) (a), pursuant to resolutions authorizing the issuance of the operating notes under s. 18.73 (1).

**Section 572g.** 20.855 (4) (f) of the statutes is amended to read:

20.855 (4) (f) *Supplemental title fee matching.* From the general fund, a sum sufficient equal to the amount of supplemental title fees collected under s. 342.14 (3m), as determined under s. 85.037, to be transferred to the environmental fund on October 1 annually quarterly as provided in s. 85.037.

**Section 572m.** 20.855 (4) (fs) of the statutes is created to read:

20.855 (4) (fs) *Aids for certain local purchases and projects.* The amounts in the schedule to provide the assistance specified in 2007 Wisconsin Act .... (this act), section 9155 (5a).

**Section 572n.** 20.855 (4) (fs) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

**Section 575.** 20.855 (8) (a) of the statutes is amended to read:

20.855 (8) (a) *Dental clinic and education facility; principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction grant under s. 13.48 (32), and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction grant under s. 13.48 (32), and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

**Section 580i.** 20.865 (2) (i) of the statutes is created to read:

20.865 (2) (i) *Integrated business information system; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum
sufficient to supplement the appropriations to state agencies to cover costs incurred by state agencies under s. 16.971 (2) (cf) in excess of budgeted amounts.

SECTION 580r. 20.865 (2) (r) of the statutes is created to read:

20.865 (2) (r) Integrated business information system; segregated revenues.

From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies to cover costs incurred by state agencies under s. 16.971 (2) (cf) in excess of budgeted amounts.

SECTION 582. 20.866 (intro.) of the statutes is amended to read:

20.866 Public debt. (intro.) There are irrevocably appropriated to the bond security and redemption fund and to the capital improvement fund, as a first charge upon all revenues of this state, sums sufficient for payment of principal, interest and premium due, if any, on public debt contracted under subchs. I and IV of ch. 18. There are also irrevocably appropriated to the bond security and redemption fund and to the capital improvement fund, as a first charge upon all revenues of this state, sums sufficient for the payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) relating to any public debt contracted under subchs. I and IV of ch. 18.

SECTION 583. 20.866 (1) (u) of the statutes is amended to read:

20.866 (1) (u) Principal repayment and interest. A sum sufficient from moneys appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b), (f), and (s), 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e), 20.255 (1) (d), 20.285 (1) (d), (db), (im), (in), (je), (jq), (kd), (km), and (ko) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar), (at), (au), (bq), (br), (ca), (cb), (cc), (cd), (ce), (cf), (cg), (ea), (eq), and (er), 20.395 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485
(1) (f) and (go), (3) (t) and (4) (qm), 20.505 (4) (es), (et), (ha), and (hb) and (5) (c), (g) and, (kc), and (kd), 20.855 (8) (a), and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bn), (bp), (bq), (br), (bu), (bv), (g), (h), (i), and (q) for the payment of principal and interest, premium due, if any, and payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) relating to any public debt contracted under subchs. I and IV of ch. 18.

**SECTION 583g.** 20.866 (2) (s) of the statutes is amended to read:

> 20.866 (2) (s) University of Wisconsin; academic facilities. From the capital improvement fund, a sum sufficient for the board of regents of the University of Wisconsin System to acquire, construct, develop, enlarge or improve university academic educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed $1,358,615,800 for this purpose.

**SECTION 583r.** 20.866 (2) (t) of the statutes is amended to read:

> 20.866 (2) (t) University of Wisconsin; self-amortizing facilities. From the capital improvement fund, a sum sufficient for the board of regents of the University of Wisconsin System to acquire, construct, develop, enlarge or improve university self-amortizing educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed $1,279,517,100 for this purpose. Of this amount, $4,500,000 is allocated only for the University of Wisconsin–Madison indoor practice facility for athletic programs and only at the time that ownership of the facility is transferred to the state.

**SECTION 584b.** 20.866 (2) (ta) of the statutes is amended to read:

> 20.866 (2) (ta) Natural resources; Warren Knowles–Gaylord Nelson stewardship 2000 program. From the capital improvement fund a sum sufficient for
the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917.

The state may contract public debt in an amount not to exceed $572,000,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5) and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this paragraph may not exceed $46,000,000 in fiscal year 2000–01, may not exceed $46,000,000 in fiscal year 2001–02, and may not exceed $60,000,000 in each fiscal year beginning with fiscal year 2002–03 and ending with fiscal year 2009–10, and may not exceed $105,000,000 in each fiscal year beginning with fiscal year 2010–11 and ending with fiscal year 2019–20.

SECTION 585. 20.866 (2) (tc) of the statutes is amended to read:

20.866 (2) (tc) Clean water fund program. From the capital improvement fund, a sum sufficient for the purposes of s. 281.57 (10m) and (10r) and to be transferred to the environmental improvement fund for the purposes of the clean water fund program under ss. 281.58 and 281.59. The state may contract public debt in an amount not to exceed $637,743,200 for this purpose. Of this amount, the amount needed to meet the requirements for state deposits under 33 USC 1382 is allocated for those deposits. Of this amount, $8,250,000 is allocated to fund the minority business development and training program under s. 200.49 (2) (b). Moneys from this appropriation account may be expended for the purposes of s. 281.57 (10m) and (10r) only in the amount by which the department of natural resources and the department of administration determine that moneys available under par. (tn) are insufficient for the purposes of s. 281.57 (10m) and (10r).

SECTION 586. 20.866 (2) (td) of the statutes is amended to read:

20.866 (2) (td) Safe drinking water loan program. From the capital improvement fund, a sum sufficient to be transferred to the environmental
improvement fund for the safe drinking water loan program under s. 281.61. The state may contract public debt in an amount not to exceed $32,310,000 for this purpose.

SECTION 587. 20.866 (2) (te) of the statutes is amended to read:

20.866 (2) (te) Natural resources; nonpoint source grants. From the capital improvement fund, a sum sufficient for the department of natural resources to provide funds for nonpoint source water pollution abatement projects under s. 281.65 and to provide the grant under 2003 Wisconsin Act 33, section 9138 (3f). The state may contract public debt in an amount not to exceed $89,310,400 for this purpose.

SECTION 588. 20.866 (2) (tf) of the statutes is amended to read:

20.866 (2) (tf) Natural resources; nonpoint source. From the capital improvement fund, a sum sufficient for the department of natural resources to fund nonpoint source water pollution abatement projects under s. 281.65 (4c). The state may contract public debt in an amount not to exceed $4,000,000 for this purpose.

SECTION 589. 20.866 (2) (tg) of the statutes is amended to read:

20.866 (2) (tg) Natural resources; environmental repair. From the capital improvement fund, a sum sufficient for the department of natural resources to fund investigations and remedial action under s. 292.11 (7) (a) or 292.31 and remedial action under s. 281.83 and for payment of this state’s share of environmental repair that is funded under 42 USC 6991 to 6991i or 42 USC 9601 to 9675. The state may contract public debt in an amount not to exceed $51,000,000 for this purpose. Of this amount, $7,000,000 is allocated for remedial action under s. 281.83.

SECTION 590. 20.866 (2) (th) of the statutes is amended to read:
20.866 (2) (th) Natural resources; urban nonpoint source cost-sharing. From the capital improvement fund, a sum sufficient for the department of natural resources to provide cost-sharing grants for urban nonpoint source water pollution abatement and storm water management projects under s. 281.66 and, to provide municipal flood control and riparian restoration cost-sharing grants under s. 281.665, and to make the grant under 2007 Wisconsin Act .... (this act), section 9135 (1i). The state may contract public debt in an amount not to exceed $23,900,000 $29,900,000 for this purpose. Of this amount, $500,000 is allocated in fiscal biennium 2001–03 for dam rehabilitation grants under s. 31.387.

SECTION 591. 20.866 (2) (ti) of the statutes is created to read:

20.866 (2) (ti) Natural resources; contaminated sediment removal. From the capital improvement fund, a sum sufficient for the department of natural resources to fund removal of contaminated sediment under s. 281.87. The state may contract public debt in an amount not to exceed $17,000,000 for this purpose.

SECTION 591m. 20.866 (2) (tk) of the statutes is amended to read:

20.866 (2) (tk) Natural resources; environmental segregated fund supported administrative facilities. From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage and maintenance facilities. The state may contract public debt in an amount not to exceed $7,490,000 $10,339,800 for this purpose.

SECTION 591p. 20.866 (2) (tu) of the statutes is amended to read:

20.866 (2) (tu) Natural resources; segregated revenue supported facilities. From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource
administrative office, laboratory, equipment storage or maintenance facilities and to acquire, construct, develop, enlarge or improve state recreation facilities and state fish hatcheries. The state may contract public debt in an amount not to exceed $55,078,100 $73,277,700 for this purpose.

SECTION 595g. 20.866 (2) (ux) of the statutes is amended to read:

20.866 (2) (ux) Corrections; correctional facilities. From the capital improvement fund, a sum sufficient for the department of corrections to acquire, construct, develop, enlarge or improve adult and juvenile correctional facilities. The state may contract public debt in an amount not to exceed $801,979,400 $812,235,900 for this purpose.

SECTION 595r. 20.866 (2) (v) of the statutes is amended to read:

20.866 (2) (v) Health and family services; mental health and secure treatment facilities. From the capital improvement fund, a sum sufficient for the department of health and family services to acquire, construct, develop, enlarge or extend mental health and secure treatment facilities. The state may contract public debt in an amount not to exceed $127,761,700 $172,817,700 for this purpose.

SECTION 596. 20.866 (2) (we) of the statutes is amended to read:

20.866 (2) (we) Agriculture; soil and water. From the capital improvement fund, a sum sufficient for the department of agriculture, trade and consumer protection to provide for soil and water resource management under s. 92.14. The state may contract public debt in an amount not to exceed $26,075,000 $33,075,000 for this purpose.

SECTION 596c. 20.866 (2) (ws) of the statutes is created to read:

20.866 (2) (ws) Administration; energy conservation projects; capital improvement fund. From the capital improvement fund, a sum sufficient for the
department of administration to provide funding to agencies, as defined in s. 16.70
(1e), for energy conservation construction projects at state facilities under the
jurisdiction of the agencies pursuant to s. 16.847 (2). The state may contract public
debt in an amount not exceeding $30,000,000 for this purpose.

SECTION 596c. 20.866 (2) (y) of the statutes is amended to read:

20.866 (2) (y) Building commission; housing state departments and agencies.
From the capital improvement fund, a sum sufficient to the building commission for
the purpose of housing state departments and agencies. The state may contract
public debt in an amount not to exceed $485,015,400 $554,279,900 for this purpose.

SECTION 596e. 20.866 (2) (z) (intro.) of the statutes is amended to read:

20.866 (2) (z) Building commission; other public purposes. (intro.) From the
capital improvement fund, a sum sufficient to the building commission for relocation
assistance and capital improvements for other public purposes authorized by law but
not otherwise specified in this chapter. The state may contract public debt in an
amount not to exceed $1,758,901,000 $1,883,901,000 for this purpose. Of this
amount:

SECTION 596hd. 20.866 (2) (zbc) of the statutes is created to read:

20.866 (2) (zbc) Bond Health Center. From the capital improvement fund, a
sum sufficient for the building commission to provide a grant to the Bond Health
Center specified in s. 13.48 (36p) (b) for construction costs related to expanding a
hospital facility. The state may contract public debt in an amount not to exceed
$1,000,000 for this purpose.

SECTION 596i. 20.866 (2) (zbh) of the statutes is amended to read:

20.866 (2) (zbh) Medical College of Wisconsin, Inc.; biomedical research and
technology incubator. From the capital improvement fund, a sum sufficient to
provide a grant to the Medical College of Wisconsin, Inc., to aid in the construction
of and installation of equipment at a biomedical research and technology incubator.
The state may contract public debt in an amount not to exceed $25,000,000
$35,000,000 for this purpose.

SECTION 596k. 20.866 (2) (zbn) of the statutes is created to read:

20.866 (2) (zbn) Civil War exhibit at the Kenosha Public Museums. From the
capital improvement fund, a sum sufficient for the building commission to provide
a grant to the Kenosha Public Museums for construction of a Civil War exhibit. The
state may contract public debt in an amount not to exceed $500,000 for this purpose.

SECTION 596kb. 20.866 (2) (zbq) of the statutes is repealed.

SECTION 596kd. 20.866 (2) (zbs) of the statutes is created to read:

20.866 (2) (zbs) Hmong cultural centers. From the capital improvement fund,
a sum sufficient for the building commission to provide a grant to an organization
specified in s. 13.48 (36) (b) for purchase or construction of a Hmong cultural center
in Dane County and La Crosse County. The state may contract public debt in an
amount not to exceed $2,250,000 for this purpose.

SECTION 596nd. 20.866 (2) (zc) of the statutes is amended to read:

20.866 (2) (zc) Administration; school educational technology infrastructure
financial assistance. From the capital improvement fund, a sum sufficient for the
department of administration to provide educational technology infrastructure
financial assistance to school districts under s. 16.995. The state may contract public
debt in an amount not to exceed $90,200,000 $71,911,300 for this purpose.

SECTION 596np. 20.866 (2) (zcm) of the statutes is amended to read:

20.866 (2) (zcm) Administration; public library educational technology
infrastructure financial assistance. From the capital improvement fund, a sum
sufficient for the department of administration to provide educational technology
infrastructure financial assistance to public library boards under s. 16.995. The
state may contract public debt in an amount not to exceed $300,000 $269,000 for this
purpose.

SECTION 596o. 20.866 (2) (zd) of the statutes is amended to read:

20.866 (2) (zd) Educational communications board; educational
communications facilities. From the capital improvement fund, a sum sufficient for
the educational communications board to acquire, construct, develop, enlarge or
improve educational communications facilities. The state may contract public debt
in an amount not to exceed $16,658,100 for this purpose before July 1, 2003, and an
amount not to exceed $22,858,100 $23,981,500 for this purpose on and after July 1,
2003.

SECTION 596q. 20.866 (2) (zem) of the statutes is amended to read:

20.866 (2) (zem) Historical society; historic records. From the capital
improvement fund, a sum sufficient for the historical society to construct a storage
facility and to acquire and install systems and equipment necessary to prepare
historic records for transfer to new storage facilities. The state may contract public
debt in an amount not to exceed $15,400,000 $18,650,000 for this purpose.

SECTION 596s. 20.866 (2) (zj) of the statutes is amended to read:

20.866 (2) (zj) Military affairs; armories and military facilities. From the
capital improvement fund, a sum sufficient for the department of military affairs to
acquire, construct, develop, enlarge, or improve armories and other military
facilities. The state may contract public debt in an amount not to exceed $27,463,900
$32,772,500 for this purpose.

SECTION 597. 20.866 (2) (zn) of the statutes is amended to read:
20.866 (2) (zn) Veterans affairs; self-amortizing mortgage loans. From the capital improvement fund, a sum sufficient for the department of veterans affairs for loans to veterans under s. 45.37 (6) (a). The state may contract public debt in an amount not to exceed $2,120,840,000 $2,205,840,000 for this purpose.

SECTION 597e. 20.866 (2) (zp) of the statutes is amended to read:

20.866 (2) (zp) Veterans affairs; self-amortizing facilities. From the capital improvement fund, a sum sufficient for the department of veterans affairs to acquire, construct, develop, enlarge or improve facilities at state veterans homes. The state may contract public debt in an amount not to exceed $34,912,600 $38,051,600 for this purpose.

SECTION 597s. 20.866 (2) (zz) of the statutes is amended to read:

20.866 (2) (zz) State fair park board; self-amortizing facilities. From the capital improvement fund, a sum sufficient to the state fair park board to acquire, construct, develop, enlarge, or improve facilities at the state fair park in West Allis. The state may contract public debt not to exceed $56,787,100 $52,987,100 for this purpose.

SECTION 598. 20.867 (1) (a) of the statutes is amended to read:

20.867 (1) (a) Principal repayment and interest; housing of state agencies. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the housing of state agencies and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 599. 20.867 (1) (b) of the statutes is amended to read:

20.867 (1) (b) Principal repayment and interest; capitol and executive residence. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing building projects at the capitol and executive
residence and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 600. 20.867 (3) (a) of the statutes is amended to read:

20.867 (3) (a) Principal repayment and interest. A sum sufficient to pay all principal repayment and interest costs on tax-supported borrowing which is not initially allocable to the respective programs and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 601. 20.867 (3) (b) of the statutes is amended to read:

20.867 (3) (b) Principal repayment and interest. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing capital improvements for other public purposes authorized by law but not otherwise specified in this chapter and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 602. 20.867 (3) (bm) of the statutes is amended to read:

20.867 (3) (bm) Principal repayment, interest, and rebates; HR Academy, Inc. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of a youth and family center for HR Academy, Inc., in the city of Milwaukee, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction of a youth and family center for the HR Academy, Inc., and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 602c. 20.867 (3) (bn) of the statutes is created to read:

20.867 (3) (bn) Principal repayment, interest and rebates; Hmong cultural centers. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
and interest costs incurred in financing the purchase or construction of a Hmong
cultural center in Dane County and La Crosse County, to make the payments
determined by the building commission under s. 13.488 (1) (m) that are attributable
to the proceeds of obligations incurred in financing the purchase or construction of
the center, and to make payments under an agreement or ancillary arrangement
entered into under s. 18.06 (8) (a).

**SECTION 603.** 20.867 (3) (bp) of the statutes is amended to read:

> 20.867 (3) (bp) **Principal repayment, interest and rebates.** A sum sufficient to
reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
in financing the construction of a Swiss cultural center in the village of New Glarus,
and to make the payments determined by the building commission under s. 13.488
(1) (m) that are attributable to the proceeds of obligations incurred in financing the
construction of a Swiss cultural center in the village of New Glarus, and to make
payments under an agreement or ancillary arrangement entered into under s. 18.06
(8) (a).

**SECTION 604.** 20.867 (3) (bq) of the statutes is amended to read:

> 20.867 (3) (bq) **Principal repayment, interest and rebates; children’s research
institute.** A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
and interest costs incurred in financing the construction of a children’s research
institute in the city of Wauwatosa, to make the payments determined by the building
commission under s. 13.488 (1) (m) that are attributable to the proceeds of
obligations incurred in financing the construction of the institute, and to make
payments under an agreement or ancillary arrangement entered into under s. 18.06
(8) (a).

**SECTION 605.** 20.867 (3) (br) of the statutes is amended to read:
20.867 (3) (br) Principal repayment, interest and rebates. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the youth activities center specified in s. 13.48 (34), and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction of that youth activities center, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 606d. 20.867 (3) (bt) of the statutes is repealed.

SECTION 606h. 20.867 (3) (bu) of the statutes is created to read:

20.867 (3) (bu) Principal repayment, interest and rebates; Civil War exhibit at the Kenosha Public Museums. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of a Civil War exhibit as part of the Kenosha Public Museums, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction of the exhibit, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 606k. 20.867 (3) (bv) of the statutes is created to read:

20.867 (3) (bv) Principal repayment, interest, and rebates; Bond Health Center. A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing construction costs related to the Bond Health Center expansion specified in s. 13.48 (36p) (b), to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction costs, and to make
payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 607. 20.867 (3) (g) of the statutes is amended to read:

20.867 (3) (g) Principal repayment, interest and rebates; program revenues.

From the appropriate program revenue accounts, a sum sufficient to pay all principal and interest costs on self-amortizing borrowing issued under s. 20.866 (2) which are not initially allocable to the respective programs and to make any payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of such borrowing, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 608. 20.867 (3) (h) of the statutes is amended to read:

20.867 (3) (h) Principal repayment, interest, and rebates. A sum sufficient to guarantee full payment of principal and interest costs for self-amortizing or partially self-amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (1) (j), 20.285 (1) (im), (je), (jq), (kd), (km), and (ko), 20.370 (7) (eq) and 20.485 (1) (go), and 20.505 (5) (kd) if moneys available in those appropriations are insufficient to make full payment, and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245 (1) (j), 20.285 (1) (im), (je), (jq), (kd), (km), or (ko), or 20.485 (1) (go), or 20.505 (5) (kd) is insufficient to make full payment of those amounts, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All amounts advanced under the authority of this paragraph shall be repaid to the general fund whenever the balance of the appropriation for which the advance was made is sufficient to meet any portion of the amount advanced. The department of administration may take whatever action is deemed necessary including the making
of transfers from program revenue appropriations and corresponding appropriations from program receipts in segregated funds and including actions to enforce contractual obligations that will result in additional program revenue for the state, to ensure recovery of the amounts advanced.

SECTION 609. 20.867 (3) (i) of the statutes is amended to read:

20.867 (3) (i) Principal repayment, interest and rebates; capital equipment. A sum sufficient to pay principal and interest on public debt contracted under s. 20.866 (2) (ym) and, to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations contracted under s. 20.866 (2) (ym) for programs financed from program revenue or program revenue-service appropriations, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All payments under this paragraph shall be repaid to the general fund from the revenues of state agencies for which capital equipment is financed under s. 20.866 (2) (ym).

SECTION 610. 20.867 (3) (q) of the statutes is amended to read:

20.867 (3) (q) Principal repayment and interest; segregated revenues. From the appropriate segregated funds, a sum sufficient to pay all principal and interest costs on self-amortizing borrowing issued under s. 20.866 (2) which are not initially allocable to the respective programs and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 611p. 20.903 (2) (b) of the statutes is amended to read:

20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), and (kc), (kd), and (kL) in an additional amount not exceeding the depreciated value of equipment for operations financed under ss.
20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), and (kc), (kd), and (kL). The secretary of administration may require such statements of assets and liabilities as he or she deems necessary before approving expenditure estimates in excess of the unexpended moneys in the appropriation account.

**SECTION 612.** 20.907 (5) (e) 6. of the statutes is amended to read:

20.907 (5) (e) 6. Advances from child caring institutions residential care centers for children and youth and counties and moneys receivable from counties under s. 46.037 49.343.

**SECTION 614.** 20.921 (2) (a) of the statutes is amended to read:

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

**SECTION 615.** 20.923 (4) (b) 6. of the statutes is amended to read:

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

**SECTION 616.** 20.923 (4) (b) 7. of the statutes is repealed.

**SECTION 617.** 20.923 (4) (d) 7. of the statutes is renumbered 20.923 (4) (f) 7t.

**SECTION 618.** 20.923 (4) (d) 10s. of the statutes is renumbered 20.923 (4) (f) 8m.

**SECTION 619.** 20.923 (4) (e) 5. of the statutes is renumbered 20.923 (4) (f) 7v.

**SECTION 619m.** 20.923 (4) (e) 6. of the statutes is repealed.

**SECTION 620.** 20.923 (4) (e) 7. of the statutes is renumbered 20.923 (4) (f) 8e.
SECTION 621. 20.923 (4) (e) 10. of the statutes is renumbered 20.923 (4) (f) 8h.

SECTION 622. 20.923 (4) (f) 2d. of the statutes is created to read:

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

SECTION 623. 20.923 (4) (f) 2g. of the statutes is renumbered 20.923 (4) (h) 2g.

SECTION 624. 20.923 (4) (f) 4. of the statutes is renumbered 20.923 (4) (g) 6.

SECTION 625. 20.923 (4) (h) 5. of the statutes is created to read:

20.923 (4) (h) 5. Health and family services, department of: secretary.

SECTION 626. 20.923 (4) (i) of the statutes is repealed.

SECTION 628. 20.923 (6) (bd) of the statutes is amended to read:

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

SECTION 628m. 20.923 (6) (d) of the statutes is amended to read:

20.923 (6) (d) Judicial council: attorney, technical and clerical help.

SECTION 629. 20.923 (6) (hr) of the statutes is repealed.

SECTION 630. 20.923 (12) of the statutes is amended to read:

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

SECTION 631. 20.927 (1m) of the statutes is amended to read:

20.927 (1m) Except as provided under subs. (2) and (3), no funds of this state or of any county, city, village, town or family long–term care district under s. 46.2895 or of any subdivision or agency of this state or of any county, city, village or town and no federal funds passing through the state treasury shall be authorized for or paid to a physician or surgeon or a hospital, clinic or other medical facility for the performance of an abortion.
SECTION 632. 20.9275 (1) (b) of the statutes is amended to read:

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

SECTION 633. 20.9275 (2) (intro.) of the statutes is amended to read:

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

SECTION 635. 20.931 of the statutes is created to read:

20.931 False claims for medical assistance; actions by or on behalf of state. (1) In this section:

(b) “Claim” includes any request or demand for medical assistance made to any officer, employee, or agent of this state.

(c) “Employer” includes all agencies and authorities.

(d) “Knowingly” means, with respect to information, having actual knowledge of the information, acting in deliberate ignorance of the truth or falsity of the information, or acting in reckless disregard of the truth or falsity of the information. “Knowingly” does not mean specifically intending to defraud.

(dm) “Medical assistance” has the meaning given under s. 49.43 (8).
(e) “Proceeds” includes damages, civil penalties, surcharges, payments for costs of compliance, and any other economic benefit realized by this state as a result of an action or settlement of a claim.

(f) “State public official” has the meaning given in s. 19.42 (14).

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

(a) Knowingly presents or causes to be presented to any officer, employee, or agent of this state a false claim for medical assistance.

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

(c) Conspires to defraud this state by obtaining allowance or payment of a false claim for medical assistance, or by knowingly making or using, or causing to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the Medical Assistance program.

(g) Knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease any obligation to pay or transmit money or property to the Medical Assistance program.

(h) Is a beneficiary of the submission of a false claim for medical assistance to any officer, employee, or agent of this state, knows that the claim is false, and fails to disclose the false claim to this state within a reasonable time after the person becomes aware that the claim is false.

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

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

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

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

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

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

(c) The attorney general may, for good cause shown, move the court for one or
more extensions of the period during which a complaint in an action under this
subsection remains under seal.
(d) Before the expiration of the period during which the complaint remains under seal, the attorney general shall do one of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(13) The state is not liable for any expenses incurred by a private person in bringing an action under sub. (5).
(14) Any employee who is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against by his or her employer because of lawful actions taken by the employee, on behalf of the employee, or by others in furtherance of an action or claim filed under this section, including investigation for, initiation of, testimony for, or assistance in an action or claim filed or to be filed under sub. (5) is entitled to all necessary relief to make the employee whole. Such relief shall in each case include reinstatement with the same seniority status that the employee would have had but for the discrimination, 2 times the amount of back pay, interest on the back pay at the legal rate, and compensation for any special damages sustained as a result of the discrimination, including costs and reasonable actual attorney fees. An employee may bring an action to obtain the relief to which the employee is entitled under this subsection.

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

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

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

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

SECTION 635m. 21.37 of the statutes is amended to read:
21.37 The Wisconsin code of military justice. The Wisconsin code of military justice as created by chapter 20, laws of 1969, shall govern the conduct of all members of the national guard and any other military force organized under the laws of this state. The revisor of statutes legislative reference bureau shall not print the Wisconsin code of military justice in the statutes.

SECTION 635q. 21.49 (2m) of the statutes is repealed.

SECTION 636b. 23.09 (19) (d) of the statutes is amended to read:

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

SECTION 637b. 23.09 (20) (b) of the statutes is amended to read:

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

SECTION 638b. 23.09 (20m) (b) of the statutes is amended to read:
23.09 (20m) (b) The department shall establish a program to award grants from the appropriation under s. 20.866 (2) (ta) to governmental units and nonprofit conservation organizations to acquire development rights in land for nature-based outdoor recreation. The grants shall be limited to no more than 50% of the acquisition costs of the development rights.

**SECTION 638m.** 23.0912 of the statutes is created to read:

**23.0912 Contracts for land management; reports.** (1) The department may contract with nonprofit conservation organizations, as defined in s. 23.0955 (1), and with private companies to perform land management activities on department land, as defined in s. 23.0917 (1) (c).

(2) The department shall prepare, for the joint committee on finance, an annual report concerning any contracts into which the department enters under sub. (1) during each fiscal year. For each contract entered, the report shall include information concerning the cost of the contract, the activities performed under the contract, and an assessment of the cost-effectiveness of the contract. The department shall submit the report to the committee no later than November 15 for the preceding fiscal year, and shall submit the first report no later than November 15, 2008.

**SECTION 638r.** 23.0917 (2) (a) 3m. of the statutes is created to read:

23.0917 (2) (a) 3m. A subprogram for recreational boating aids.

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

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

SECTION 640. 23.0917 (3) (bm) of the statutes is amended to read:

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

SECTION 641. 23.0917 (3) (br) of the statutes is created to read:

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

SECTION 642c. 23.0917 (3) (dm) 2. of the statutes is amended to read:

23.0917 (3) (dm) 2. For each fiscal year beginning with fiscal year 2002–03 and
ending with fiscal year 2009–10 2006–07, $45,000,000.

SECTION 642d. 23.0917 (3) (dm) 3. and 3m. of the statutes are created to read:

23.0917 (3) (dm) 3. For fiscal year 2007–08, $43,500,000.

3m. For fiscal years 2008–09 and 2009–10, $42,500,000.

SECTION 642e. 23.0917 (3) (dm) 4. of the statutes is created to read:

23.0917 (3) (dm) 4. For each fiscal year beginning with fiscal year 2010–11 and
ending with fiscal year 2019–20, $76,500,000.

SECTION 643. 23.0917 (4) (a) of the statutes is amended to read:
23.0917 (4) (a) Beginning with fiscal year 2000–01 and ending with fiscal year 2009–10, the department may obligate moneys under the subprogram for property development and local assistance. Moneys obligated under this subprogram may be only used for nature-based outdoor recreation, except as provided under par. (cm).

**SECTION 644d.** 23.0917 (4) (d) 1. of the statutes is amended to read:

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

**SECTION 645b.** 23.0917 (4) (d) 2. of the statutes is amended to read:

23.0917 (4) (d) 2. The beginning with fiscal year 2000–01 and ending with fiscal year 2009–10, the department may obligate not more than $8,000,000 in each fiscal year for local assistance.

**SECTION 646b.** 23.0917 (4) (d) 2n. of the statutes is created to read:

23.0917 (4) (d) 2n. Beginning with fiscal year 2010–11 and ending with fiscal year 2019–20, the department may obligate not more than $14,000,000 in each fiscal year for local assistance.

**SECTION 646m.** 23.0917 (4j) of the statutes is created to read:

23.0917 (4j) RECREATIONAL BOATING AIDS. (a) In this subsection “local governmental unit” means a city, village, town, or county, a lake sanitary district, as
defined in s. 30.50 (4q), a public inland lake protection and rehabilitation district
organized under ch. 33, or any other local governmental unit, as defined in s. 66.0131
(1) (a), that is established for the purpose of lake management.

(b) For fiscal year 2007–08, the department may not obligate more than
$1,500,000 for cost–sharing with local governmental units for recreational boating
projects under s. 30.92. For each fiscal year beginning with fiscal year 2008–09 and
ending with fiscal year 2019–20, the department may not obligate more than
$2,500,000 for cost–sharing with local governmental units for recreational boating
projects under s. 30.92.

SECTION 647. 23.0917 (7) (a) of the statutes is amended to read:

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

SECTION 648b. 23.0917 (12) of the statutes is amended to read:

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

SECTION 649b. 23.092 (1) of the statutes is renumbered 23.092 (1m).

SECTION 650b. 23.092 (1b) of the statutes is created to read:

23.092 (1b) In this section, “nonprofit conservation organization” has the
meaning given in s. 23.0955 (1).
SECTION 651b. 23.092 (2) of the statutes is amended to read:

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

SECTION 652b. 23.092 (4) of the statutes is amended to read:

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

SECTION 653b. 23.094 (3m) of the statutes is amended to read:

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

SECTION 654b. 23.0953 of the statutes is created to read:

23.0953 Grants to counties for land acquisition. (1) In this section, “nature-based outdoor recreation” has the meaning given by the department by rule under s. 23.0917 (4) (f).
(2) Beginning with fiscal year 2010–11 and ending with fiscal year 2019–20, the department shall establish a program from the appropriation under s. 20.866 (2) (ta) to make grants to counties to acquire land for nature-based outdoor recreation. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from the subprogram under s. 23.0917 (3).

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

(4) A county may not convert the land, or any rights in the land, acquired with grant moneys awarded under this section to a use that is inconsistent with the type of nature-based outdoor recreation or conservation activity for which the grant was awarded unless the natural resources board approves the conversion.

SECTION 655b. 23.096 (2) (b) of the statutes is amended to read:

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

SECTION 656b. 23.096 (2m) of the statutes is created to read:

23.096 (2m) Notwithstanding sub. (2) (b), in each fiscal year beginning with fiscal year 2010–11 and ending with fiscal year 2019–20, the department may award grants under this section that equal up to 75 percent of the acquisition costs of the property if the natural resources board determines that all of the following apply:

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

(b) That delaying or deferring the acquisition until 50 percent of the acquisition costs are procured by the nonprofit conservation organization is not reasonably possible.
(c) That sufficient bonding authority remains in the amount set aside under s. 23.0917 (3) (br) for that fiscal year after awarding grants to nonprofit conservation organizations that meet the matching requirement under sub. (2) (b).

**SECTION 657.** 23.15 (1) of the statutes is amended to read:

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

**SECTION 658.** 23.197 (10) of the statutes is created to read:

23.197 (10) **Mirror Lake; Boating Access.** From the appropriation under s. 20.866 (2) (ta), the department shall provide funding in an amount not to exceed $1,000,000 to improve navigability for recreational boating in Mirror Lake in Sauk County and in the streams flowing into the lake. For the purposes of s. 23.0917, moneys provided under this subsection from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under either or both of the subprograms under s. 23.0917 (3) and (4).

**SECTION 658g.** 23.197 (11) of the statutes is created to read:

23.197 (11) **Jersey Valley Lake.** From the appropriation under s. 20.866 (2) (ta), the department shall provide funding in an amount not to exceed $500,000 to Vernon County to restore Jersey Valley Lake. The funding authorized under this subsection shall be in a manner that, for every $1 expended by Vernon County for the repairs and installation, the department shall provide $3. For purposes of s. 23.0917,
moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

SECTION 658m. 23.197 (12) of the statutes is created to read:

23.197 (12) MILWAUKEE METROPOLITAN SEWERAGE DISTRICT; FLOOD MANAGEMENT. From the appropriation under s. 20.866 (2) (ta), the department shall provide funding in an amount not to exceed $1,000,000 to a nationwide nonprofit conservation organization dedicated to land and water resource preservation to acquire land for a flood management program conducted by the Milwaukee Metropolitan Sewerage District and for habitat restoration on the acquired land. The funding authorized under this subsection shall be in a manner that, for every $1 expended by the nationwide nonprofit conservation organization for the land acquisition, the department shall provide $3. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

SECTION 658r. 23.197 (13) of the statutes is created to read:

23.197 (13) GREEN BAY; RECREATIONAL TRAIL. From the appropriation under s. 20.866 (2) (ta), the department shall provide funding in an amount not to exceed $875,800 to the city of Green Bay to acquire land for a bicycle and pedestrian trail. The funding authorized under this subsection shall be in a manner that, for every $1 expended by the city of Green Bay for the land acquisition, the department shall provide $3. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

SECTION 658t. 23.197 (14) of the statutes is created to read:
23.197 (14) **Antigo; trail development.** From the appropriation under s. 20.866 (2) (ta), the department shall provide funding in an amount not to exceed $600,000 to the city of Antigo for property development related to the ice age trail and the Springbrook trail located within the city. The funding authorized under this subsection shall be in a manner that, for every $1 expended by the city of Antigo for the property development, the department shall provide $1. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

**Section 659.** 23.1985 of the statutes is amended to read:

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

**Section 660.** 23.22 (2) (b) 6. of the statutes is amended to read:

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

SECTION 661. 23.22 (2) (c) of the statutes is amended to read:

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

SECTION 662. 23.22 (8) of the statutes is created to read:

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

(b) Any person who intentionally violates any rule promulgated under sub. (2)
(b) 6. or any permit issued under those rules shall be fined not less than $1,000 nor
more than $5,000, or shall be imprisoned for not less than 6 months nor more than
9 months or both.
(c) A person who violates a rule promulgated under sub. (2) (b) 6. or any permit issued under those rules and who, within 5 years before the arrest of the current conviction, was previously convicted of a violation of a rule promulgated under sub. (2) (b) 6. or any permit issued under those rules shall be fined not less than $700 nor more than $2,000 or shall be imprisoned for not less than 6 months nor more than 9 months or both.

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

SECTION 663. 23.22 (9) of the statutes is created to read:

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

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

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

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

SECTION 664. 23.24 (6) (b) of the statutes is amended to read:

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

SECTION 664m. 23.33 (2j) (c) of the statutes is amended to read:

23.33 (2j) (c) The fee for a nonresident trail pass issued for an all-terrain
vehicle that is exempt from registration under sub. (2) (b) 2. is $17.25 $34.25. A
nonresident trail pass issued for such an all-terrain vehicle may be issued only by
the department and persons appointed by the department and expires on June 30
of each year.

SECTION 665. 23.33 (5) (d) of the statutes is amended to read:

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

SECTION 665g. 23.33 (5m) (title) of the statutes is amended to read:

23.33 (5m) (title) GRANT SAFETY PROGRAM.

SECTION 665r. 23.33 (5r) of the statutes is created to read:

23.33 (5r) LANDOWNER INCENTIVE PROGRAM. (a) In this subsection “public all-terrain vehicle corridor” has the meaning given in s. 23.33 (2j) (a).

(b) The department shall establish a program to make incentive payments to private landowners who permit public all-terrain vehicle corridors on their lands and who apply for the payments.

(c) An application is not considered complete until the forester or another employee of each county in which the public all-terrain vehicle corridor is located measures the length of the corridor in that county for the purpose of calculating the payment.

(d) Incentive payments under the program shall be calculated as follows:
1. For a public all-terrain vehicle corridor that was open to the public for 60 days or more but for less than 180 days in the previous fiscal year, the incentive payment shall be $25 per mile.

2. For a public all-terrain vehicle corridor that was open to the public for 180 days or more but for less than 270 days in the previous fiscal year, the incentive payment shall be $75 per mile.

3. For a public all-terrain vehicle corridor that was open to the public for 270 days or more in the previous fiscal year, the incentive payment shall be $100 per mile.

(e) If a private landowner enters into an agreement with a county to allow a public all-terrain vehicle corridor on the landowner’s land for a period of at least 5 years, the landowner shall receive a supplemental payment, in addition to the payment as calculated under par. (c), that equals 10 percent of the payment calculated under par. (c) for each full or partial fiscal year that is included in the 5-year period.

(f) If the total amount of incentive payments made in a given fiscal year would exceed the amount available for the payments, the department shall establish a system to prorate the payments.

(g) During fiscal year 2007-08, the department may expend up to $100,000 from the appropriation under s. 20.370 (5) (cu) for incentive payments under this program.

SECTION 666m. 23.33 (11m) of the statutes is created to read:

23.33 (11m) LIGHTWEIGHT UTILITY VEHICLES PILOT PROGRAM. (a) In this subsection:

1. “Golf cart” means a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and is designed and intended to
convey one or more persons and equipment to play the game of golf in an area
designated as a golf course.

2. “Lightweight utility vehicle” means an engine-driven device having a gross
weight of more than 700 pounds but not more than 1,999 pounds that is designed to
travel on 4 or more low-pressure tires, is equipped with a cargo area, and is used
primarily off a highway. “Lightweight utility vehicle” does not include golf carts or
low-speed vehicles.

3. “Low pressure tire” means a tire that is designed to be mounted on a rim with
a maximum diameter of 14 inches and to be inflated with an operating pressure not
to exceed 20 pounds per square inch as recommended by the manufacturer.

4. “Low-speed vehicle” means a low-speed vehicle, as defined in 49 CFR 571.3,
that satisfies the equipment standards under 49 CFR 571.500 and that was
originally manufactured to meet the applicable equipment standards under 49 CFR
571.500. “Low-speed vehicle” does not include a golf cart.

5. “Municipality” means a city, village, or town.

(b) The department of natural resources, in consultation with the department
of transportation, shall administer a pilot program to investigate the effects of using
lightweight utility vehicles on trails and roadways that are used and authorized to
be used by all-terrain vehicles, to evaluate whether it is feasible and appropriate to
expand the allowable use of lightweight utility vehicles.

(c) The counties of Florence, Forest, Sawyer, Marinette, Langlade, Lincoln,
Oneida, and Washburn, and the municipalities within those counties, are eligible to
participate in the pilot program, and the governing body of each county or
municipality may elect to participate in the pilot program by adopting a resolution
to that effect. The governing body of each county or municipality may withdraw from
the pilot program prior to the end of the pilot program under par. (h) by adopting a
resolution to that effect.

(d) The counties and municipalities in the pilot program may designate any of
the following:

1. All-terrain vehicle routes and trails within their respective jurisdictions
that may be used by operators of lightweight utility vehicles.

2. All-terrain vehicle routes and trails within their respective jurisdictions
upon which lightweight utility vehicle use is prohibited.

(e) For the purposes of all of the following, a lightweight utility vehicle that is
operated as authorized under this subsection is considered an all-terrain vehicle:

1. Sections 345.11 (1r), 346.02 (11), 349.02, 885.235 (1g) and (1k), 895.049, and
901.053.

2. Subsections (3), (3g), (4), (4c) to (4x), (6), (7), (10), (12), and (13).

3. Local ordinances enacted by a county or municipality under sub. (11).

(f) In addition to the provisions under par. (e), the operation of a lightweight
utility vehicle as authorized under the pilot program is subject to all of the following:

1. The operator of a lightweight utility vehicle must possess a valid motor
vehicle operator’s license.

2. Any trail fees imposed on all-terrain vehicle use by a county or municipality
also apply to operation of a lightweight utility vehicle.

(g) The department of natural resources, in consultation with the department
of transportation and with the counties and municipalities participating in the pilot
program, shall evaluate the effect of using lightweight utility vehicles on roadways
and on all-terrain vehicle routes and trails upon conclusion of the pilot program. The
department may make grants from the appropriation under s. 20.370 (5) (cu) to each
participating county and municipality, for the purpose of assisting the department
of natural resources in the evaluation. The department of natural resources shall
make grants in such a manner that the total amount of grants for a given county,
including the grants to municipalities located wholly or partially in that county, does
not exceed $2,000. The department of natural resources shall report the results of
its evaluation to the legislature under s. 13.172 (2) no later than January 1, 2010.

(h) The pilot program under this subsection does not apply after September 30,
2009.

**SECTION 674d.** 24.61 (3) (a) 12. of the statutes is created to read:

24.61 (3) (a) 12. A drainage district created under ch. 88.

**SECTION 674g.** 24.61 (3) (b) of the statutes is amended to read:

24.61 (3) (b) Terms; conditions. A municipality, cooperative educational service
agency, drainage district created under ch. 88, or federated public library system
may obtain a state trust fund loan for the sum of money, for the time and upon the
conditions as may be agreed upon between the board and the borrower, subject to the
limitations, restrictions, and conditions set forth in this subchapter.

**SECTION 674k.** 24.66 (3r) of the statutes is created to read:

24.66 (3r) FOR A DRAINAGE DISTRICT. An application for a loan by a drainage
district created under ch. 88 shall be accompanied by a certified copy of a resolution
of the board of the drainage district approving the loan.

**SECTION 674p.** 24.67 (1) (n) of the statutes is created to read:

24.67 (1) (n) For a drainage district created under ch. 88, by the president of
the drainage district board.

**SECTION 674s.** 24.67 (2) (i) of the statutes is created to read:
24.67 (2) (i) For a drainage district created under ch. 88, by the secretary of the drainage district board.

**SECTION 674v.** 24.67 (3) of the statutes is amended to read:

24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that fact to the department of administration. Upon receiving a certification from a municipality, or upon direction of the board if a loan is made to a cooperative educational service agency, drainage district created under ch. 88, or a federated public library system, the secretary of administration shall draw a warrant for the amount of the loan, payable to the treasurer of the municipality, cooperative educational service agency, drainage district, or federated public library system making the loan or as the treasurer of the municipality, cooperative educational service agency, drainage district, or federated public library system directs. The certificate of indebtedness shall then be conclusive evidence of the validity of the indebtedness and that all the requirements of law concerning the application for the making and acceptance of the loan have been complied with.

**SECTION 674vm.** 24.70 (1) of the statutes is amended to read:

24.70 (1) Applicability. This section applies to all outstanding state trust fund loans to borrowers other than school districts, drainage districts created under ch. 88, and federated public library systems.

**SECTION 674w.** 24.716 of the statutes is created to read:

24.716 Collections from drainage districts. (1) Applicability. This section applies to all outstanding trust fund loans to drainage districts created under ch. 88.

(2) Certified statement. If a drainage district has a state trust fund loan, the board shall transmit to the district board a certified statement of the amount due on
or before October 1 of each year until the loan is paid. The board shall furnish a copy of each certified statement to the department of administration.

(3) Payment to Secretary of Administration. The district board shall transmit to the secretary of administration on its own order the full amount levied for state trust fund loans within 15 days after March 15. The secretary of administration shall notify the board when he or she receives payment. Any payment not made by March 30 is delinquent and is subject to a penalty of 1 percent per month or fraction thereof, to be paid to the secretary of administration with the delinquent payment.

(4) Failure to Make Payment. If the district board fails to remit the amounts due under sub. (3), the secretary of administration, upon certification of delinquency by the board of commissioners of public lands, shall deduct the amount due, including any penalty, from any state aid payments due the district, shall remit such amount to the secretary of administration, and, no later than June 15, shall notify the district board and the board to that effect.

Section 675. 25.14 (1) (a) (intro.) of the statutes is amended to read:

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

Section 678d. 25.17 (1) (gs) of the statutes is created to read:

25.17 (1) (gs) Hospital assessment fund (s. 25.772);

Section 678n. 25.17 (1) (nm) of the statutes is amended to read:

25.17 (1) (nm) Recycling and renewable energy fund (s. 25.49);

Section 679. 25.17 (63) of the statutes is created to read:
25.17 (63) If requested by the Health Insurance Risk−Sharing Plan Authority, invest funds of the Health Insurance Risk−Sharing Plan Authority in the state investment fund.

SECTION 683. 25.187 (2) (a) of the statutes is amended to read:

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

SECTION 684. 25.187 (2) (b) of the statutes is repealed.

SECTION 685. 25.187 (2) (c) 1. of the statutes is amended to read:

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

SECTION 686. 25.187 (2) (c) 3. c. of the statutes is created to read:

25.187 (2) (c) 3. c. Annually, no later than June 15, certify to the department of administration and to the joint committee on finance the maximum amount that the board may assess the funds for which the board has management responsibility in the next fiscal year.
SECTION 689. 25.46 (1m) of the statutes is amended to read:

25.46 (1m) The moneys transferred under s. 20.855 (4) (f) and 2007 Wisconsin Act .... (this act), section 9148 (2), for nonpoint source water pollution abatement.

SECTION 690. 25.46 (7) of the statutes is amended to read:

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

SECTION 690t. 25.49 (intro.) of the statutes is amended to read:

25.49 Recycling and renewable energy fund. (intro.) There is established a separate nonlapsible trust fund designated as the recycling and renewable energy fund, to consist of:

SECTION 692. 25.50 (1) (d) of the statutes is amended to read:

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

SECTION 694. 25.60 of the statutes is amended to read:

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

**SECTION 695.** 25.68 (1) of the statutes is amended to read:

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

**SECTION 696.** 25.68 (3) of the statutes is amended to read:

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

**SECTION 697.** 25.69 of the statutes is amended to read:

**25.69 Permanent endowment fund.** There is established a separate nonlapsible trust fund designated as the permanent endowment fund, consisting of all of the proceeds from the sale of the state’s right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, and all investment earnings on the proceeds. There is transferred from the permanent endowment fund to the Medical Assistance trust fund $50,000,000 in each fiscal year.

**SECTION 697d.** 25.77 (2) of the statutes is amended to read:

25.77 (2) All public funds that are related to payments under s. 49.45 and that are transferred or certified under 42 CFR 433.51 (b) and used as the nonfederal and federal share of Medical Assistance funding, except funds that are deposited into the appropriation accounts under s. 20.435 (4) (h), (kx), or (ky).

**SECTION 697m.** 25.77 (8) of the statutes is created to read:

25.77 (8) All moneys transferred from the appropriation under s. 20.285 (1) (iz).
SECTION 697n. 25.77 (9) of the statutes is created to read:

25.77 (9) All moneys transferred from the permanent endowment fund.

SECTION 697p. 25.77 (10) of the statutes is created to read:

25.77 (10) All moneys transferred under 2007 Wisconsin Act .... (this act), section 9225 (2).

SECTION 698d. 25.772 of the statutes is created to read:

25.772 Hospital assessment fund. There is established a separate nonlapsible trust fund designated as the hospital assessment fund, to consist of all moneys received under s. 50.375 from assessments on hospitals.

SECTION 699. 25.96 of the statutes, as affected by 2005 Wisconsin Act 141, is amended to read:

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

SECTION 699c. 26.38 (title) of the statutes is amended to read:

26.38 (title) Private forest grants Forest grant program.

SECTION 699g. 26.38 (2m) (a) of the statutes is amended to read:

26.38 (2m) (a) The department shall establish a program to award grants for developing and implementing forest stewardship management plans by owners of nonindustrial private forest land and to award grants to groups of interested parties for projects to control invasive plants in weed management areas. The department shall award the grants only to persons owning 500 acres or less of nonindustrial private forest land in this state or to groups in which each person participating owns 500 acres or less of nonindustrial private forest land in this state.
SECTION 699m. 26.38 (2m) (am) of the statutes is created to read:

26.38 (2m) (am) Beginning with fiscal year 2008–09, from the appropriation under s. 20.370 (5) (av), the department shall allocate for each fiscal year at least $60,000 for grants for projects to control invasive plants in weed management areas. From the amount allocated, the department shall award grants to all eligible applicants for grants for such projects before awarding any balance of the allocated amount for grants for stewardship management plans.

SECTION 699r. 26.38 (2m) (b) of the statutes is amended to read:

26.38 (2m) (b) Each owner receiving recipient of a grant under this section shall provide a matching contribution in an amount to be determined by the department for that particular grant based on criteria promulgated by rule under sub. (3). The matching contribution may be in the form of money or in-kind goods or services or both.

SECTION 699v. 26.38 (3) of the statutes is renumbered 26.38 (3) (intro.) and amended to read:

26.38 (3) (intro.) The department shall promulgate rules to implement and administer this program, including the all of the following:

(a) The criteria for determining the amount of a matching contribution under sub. (2m) (b) and the.

(b) The minimum standards required under sub. (2m) (c).

SECTION 699x. 26.38 (3) (c) of the statutes is created to read:

26.38 (3) (c) Eligibility requirements for groups receiving grants for weed management areas, requirements for the grants, and requirements for establishing weed management areas.

SECTION 700. 26.385 of the statutes is repealed.
SECTION 700e. 27.01 (7) (c) 10. of the statutes is amended to read:

27.01 (7) (c) 10. Any motor vehicle operated for the purpose of transporting pupils to or from curricular or extracurricular activities of a public or private school or home-based private educational program under s. 118.15 (4) or for the purpose of transporting students to or from an outdoor academic class given by an accredited college or university in this state. The operator of a motor vehicle transporting pupils or students under this subdivision shall possess and exhibit for inspection a written authorization from an administrator of the school or home-based private educational program, or college or university indicating that admission to the vehicle admission area is part of an official school or home-based private educational program, or college or university function and indicating the date for which the authorization is applicable. A separate authorization is required for each date on which the motor vehicle is admitted to the vehicle admission area under this subdivision.

SECTION 701. 28.05 (3) (c) of the statutes is created to read:

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

SECTION 702. 28.085 of the statutes is amended to read:

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

SECTION 702d. 28.11 (5m) (title) of the statutes is amended to read:

28.11 (5m) (title) GRANTS FOR COUNTY FOREST ADMINISTRATORS ADMINISTRATION GRANTS.

SECTION 702e. 28.11 (5m) (am) of the statutes is created to read:

28.11 (5m) (am) The department may make grants, from the appropriation
under s. 20.370 (5) (bw), to counties having lands entered under sub. (4) to fund up
to 50 percent of the costs of a county’s annual dues to a nonprofit organization that
provides leadership and counsel to that county’s forest administrator and that
functions as an organizational liaison to the department. The total amount that the
department may award in grants under this paragraph in any fiscal year may not
exceed $50,000.

SECTION 703. 29.024 (2g) (am) of the statutes is amended to read:

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

SECTION 704. 29.024 (2g) (c) of the statutes is amended to read:

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

**SECTION 704.** 29.024 (2g) (d) 1. of the statutes is amended to read:

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

**SECTION 705.** 29.024 (2r) (am) of the statutes is amended to read:

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

**SECTION 706.** 29.024 (6) (ag) of the statutes is created to read:
29.024 (6) (ag) Under a contract issued under par. (a) 4., the department may
deduct a portion of each fee collected for a license issued pursuant to the statewide
automated system. The department shall credit all of the amounts deducted to the
appropriation account under s. 20.370 (9) (hv).

SECTION 707d. 29.063 (1m) of the statutes is created to read:

29.063 (1m) The department may not expend more than $2,360,000 from
nonfederal funds in the conservation fund in any fiscal year for the management of,
and testing for, chronic wasting disease.

SECTION 708. 29.229 (2) (hm) of the statutes is created to read:

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

SECTION 709. 29.229 (5m) (a) of the statutes is amended to read:

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

SECTION 710. 29.229 (5m) (b) of the statutes is amended to read:

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

**SECTION 710**

29.229 (5m) (c) of the statutes is amended to read:

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

**SECTION 711.** 29.2295 (2) (hm) of the statutes is created to read:

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

**SECTION 712m.** 29.426 of the statutes is created to read:

29.426 Catch and release bass fishing. No person may use any hook, bait, or lure, other than an artificial lure that has a barbless hook, while fishing during a catch and release bass fishing season established by the department.

**SECTION 712r.** 29.428 of the statutes is created to read:
29.428 Catch and release muskellunge fishing. (1) The department shall establish a fishing season that authorizes catch and release muskellunge fishing on inland waters north of USH 10 other than the boundary waters between this state and the state of Michigan. The catch and release muskellunge fishing season established under this section shall begin on the first day of the general fishing season established by the department and shall end on the day before the first day of the regular muskellunge fishing season established by the department.

(2) No person may use any hook, bait, or lure, other than an artificial lure that has a barbless hook, while fishing during the catch and release muskellunge fishing season established by the department under sub. (1).

SECTION 713. 29.535 of the statutes is created to read:

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

(a) A net license issued under s. 29.523.
(b) A trammel net license issued under s. 29.529.
(c) A set or bank pole license issued under s. 29.531.
(d) A setline license issued under s. 29.533.

(2) No person may take shovelnose sturgeon or shovelnose sturgeon eggs unless the person holds a permit from the department under this section.

(3) A person who is required to hold an annual shovelnose sturgeon permit shall report to the department, on forms available from the department, on or before the 10th day of each month, the number of pounds of shovelnose sturgeon eggs harvested during the preceding calendar month.
(4) The department shall deposit receipts from the sale of permits under this section in the conservation fund.

SECTION 716. 29.563 (7) (c) 5g. of the statutes is created to read:

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

SECTION 717g. 30.133 (1) of the statutes is amended to read:

30.133 (1) (a) Beginning on April 9, 1994, and except as provided in s. 30.1355, no owner of riparian land that abuts a navigable water may convey, by grant by an easement or by a similar conveyance, any riparian right in the land to another person, except for the right to cross the land in order to have access to the navigable water. This right to cross the land may not include the right to place any structure or material, including a boat docking facility, as defined in s. 30.1335 (1) (a), in the navigable water.

SECTION 717r. 30.1335 of the statutes is created to read:

30.1335 Marina condominiums. (1) DEFINITIONS. In this section:

(a) “Boat docking facility” means a pier, wharf, boat slip, or multi-boat-slip facility.

(b) “Common element” has the meaning given in s. 703.02 (2).

(c) “Condominium” has the meaning given in s. 703.02 (4).

(d) “Condominium unit” has the meaning given for “unit” in s. 703.02 (15).

(e) “Declarant” has the meaning given in s. 703.02 (7).

(f) “Declaration” has the meaning given in s. 703.02 (8).

(h) “Dwelling” means a structure or part of a structure that is used or intended to be used as a home or residence by one or more persons to the exclusion of all others.

(i) “Limited common element” has the meaning given in s. 703.02 (10).
(j) “Marina condominium” means a condominium in which the common elements, limited common elements, or condominium units consist of or include boat docking facilities and to which either or both of the following apply:

1. One or more of the boat docking facilities is not appurtenant to a dwelling.
2. None of the condominium units are dwellings.

(2) PROHIBITION. No owner of riparian land may create a marina condominium on the riparian land on or after June 1, 2007. Any declaration for a marina condominium that is recorded on or after June 1, 2007, is invalid and establishes ownership of the riparian land as a tenancy in common that is held by the owners of the marina condominium units.

(3) EXISTING MARINA CONDOMINIUMS. (a) Notwithstanding sub. (2), a declaration that creates or purports to create a marina condominium and that is recorded before June 1, 2007, shall be effective in creating the marina condominium regardless of subsequent activity affecting the declaration.

(b) If a marina condominium as described par. (a) contains more than 300 boat slips, the declarant shall make at least 40 percent of the total number of boat slips in the marina condominium available for rent or for transient use by the public. When the declarant conveys title to, or another interest in, a condominium unit that is affected by this restriction on use, the declarant shall include a statement of the restriction in the instrument of conveyance.

(4) VALIDITY OF PERMITS. (a) For a marina that is converted into a marina condominium, if the owner of the marina is issued a permit or other authorization under this subchapter to place, maintain, or use a boat docking facility before the date that a declaration was recorded converting the marina into a marina condominium, the permit or authorization shall be deemed to satisfy the
requirements of this subchapter and may not be rescinded or modified by the
department or a municipality or by court or administrative order if the grounds for
the rescission or modification are based on the fact that the marina has been
converted to a marina condominium. The permit or authorization shall remain in
effect regardless of any subsequent activity affecting the declaration. This
paragraph does not apply to any permit or authorization that is issued after the date
that the declaration was recorded converting the marina into a marina
condominium.

(b) For a marina condominium that was not previously a marina, if the owner
of a marina condominium is issued a permit or other authorization under this
subchapter to place, maintain, or use a boat docking facility, the permit or
authorization shall be deemed to satisfy the requirements of this subchapter and
may not be rescinded or modified by the department or a municipality or by court or
administrative order if the grounds for the rescission or modification are based on
the fact that the boat docking facility is part of a marina condominium as opposed
to a marina. The permit or authorization shall remain in effect regardless of any
subsequent activity affecting the declaration.

(5) INCREASE IN SIZE OR NUMBER. An amendment or modification of a declaration
as described under sub. (3) (a) may not increase the size of the boat docking facility
or the size or the number of boat slips in a boat docking facility.

(6) SUBSEQUENT ACTIVITY AFFECTING A DECLARATION. For purposes of this section,
subsequent activity affecting the declaration consists of any of the following:

(a) Any amendment, modification or restatement of declaration by court or
administrative order or by agreement of all of the owners of the condominium units.
(b) Any determination by court or administrative order that the declaration is void or voidable or that the condominium units in the condominium are not intended for any type of independent use.

(7) Department enforcement. Notwithstanding sub. (4), the department retains the authority to enforce the terms and conditions of a permit or other authorization except to the extent that such terms and conditions relate to the form of ownership of a boat docking facility.

SECTION 717v. 30.203 (2) (d) of the statutes is created to read:

30.203 (2) (d) In Lake Poygan within an area that consists of the W−1/2 of Sec. 36, T. 20 N., R. 14 E.; the NW−1/4 of Sec. 1, T. 19 N., R. 14 E.; the E−1/2 of Sec. 33, all of Sec. 34, and the W−1/2 of Sec. 35, T. 20 N., R. 14 E.; and the N−1/2 of Sec. 4, T. 19 N., R. 14 E.

SECTION 718b. 30.24 (4) of the statutes is amended to read:

30.24 (4) Limit on grants. A. Except as provided in s. 23.096 (2m), a grant awarded under this section or under s. 23.096 to protect bluffs may not exceed 50% of the acquisition costs.

SECTION 718m. 30.255 of the statutes is created to read:

30.255 Florence Wild Rivers Interpretive Center. Beginning with fiscal year 2007−08, the department shall provide a grant in the amount of $27,000 in each fiscal year to the Florence Wild Rivers Interpretive Center to be used for park and recreation uses, forestry education, and tourist information provided by the center and for its operational costs.

SECTION 719b. 30.277 (5) of the statutes is amended to read:

30.277 (5) Contribution by governmental unit Matching contributions. To Except as provided in s. 23.096 (2m), to be eligible for a grant under this section, at
least 50% of the acquisition costs for land or of the project costs shall be funded by
private, local or federal funding, by in–kind contributions or by state funding. For
purposes of this subsection, state funding may not include grants under this section,
moneys appropriated to the department under s. 20.370 or money appropriated
under s. 20.866 (2) (ta), (tp) to (tw), (ty) or (tz).

SECTION 720. 30.52 (3) (b) of the statutes is amended to read:

30.52 (3) (b) Fee for boats under 16 feet. The fee for the issuance or renewal of
a certificate of number for a boat less than 16 feet in length is $16.50 $19.

SECTION 721. 30.52 (3) (c) of the statutes is amended to read:

30.52 (3) (c) Fee for boats 16 feet or more but less than 26 feet. The fee for the
issuance or renewal of a certificate of number for a boat 16 feet or more but less than
26 feet in length is $24 $28.

SECTION 722. 30.52 (3) (d) of the statutes is amended to read:

30.52 (3) (d) Fee for boats 26 feet or more but less than 40 feet. The fee for the
issuance or renewal of a certificate of number for a boat 26 feet or more but less than
40 feet in length is $45 $52.

SECTION 723. 30.52 (3) (e) of the statutes is amended to read:

30.52 (3) (e) Fee for boats 40 feet or longer. The fee for the issuance or renewal
of a certificate of number for a boat 40 feet or more in length is $75 $86.

SECTION 724. 30.52 (3) (f) of the statutes is amended to read:

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

SECTION 725. 30.52 (3) (fm) of the statutes is amended to read:
30.52 (3) (fm) Fee for voluntarily registered boats. Notwithstanding pars. (b) to (f), the fee for issuance or renewal of registration for a boat registered pursuant to sub. (1) (b) 1m. is $9.75 $11.

**SECTION 726.** 30.74 (1) (b) of the statutes is amended to read:

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

**SECTION 726b.** 35.001 (3) of the statutes is repealed.

**SECTION 726d.** 35.05 (4) of the statutes is amended to read:

35.05 (4) When legislative proposals, legislative publications or other printing is required for the legislature, including revision or correction bills for the revisor of statutes legislative reference bureau, bills or reports for the joint legislative council or legislative proposals of members intended for introduction by them, such printing may be ordered by the chief clerk of either house or by other authorized persons during any session of the legislature or recess thereof, pursuant to such regulations as either house shall establish.

**SECTION 726f.** 35.15 (1) (b) of the statutes is amended to read:

35.15 (1) (b) The volume shall contain all acts enacted during such session, all important joint resolutions of the session, and an alphabetical index to the volume
prepared by the legislative reference bureau in consultation with the revisor of statutes.

SECTION 726h. 35.17 of the statutes is amended to read:

35.17 Correcting typographical errors. In enrolling under s. 13.92 (1) (b) 3. and for publishing under ss. 35.095, 35.15 and 35.35 (1) (a) the legislative reference bureau shall correct obvious typographical errors. No such correction shall be deemed an alteration of the enrolled copy. Like corrections shall be made by the revisor legislative reference bureau in printing the Wisconsin statutes and administrative code. On questions of orthography the current edition of Webster’s new international dictionary shall be taken as the standard.

SECTION 726j. 35.18 (1), (2) and (3) of the statutes are amended to read:

35.18 (1) Publication. Biennially the revisor legislative reference bureau shall prepare and deliver to the department printer’s copy for the Wisconsin statutes, which shall contain all the general statutes in force, all important joint resolutions adopted since the last preceding general session, an alphabetical index, and such other matter as the revisor bureau deems desirable and practicable. The department shall determine how many copies shall be printed.

(2) Revisor’s Legislative Reference Bureau Certificate. After making the necessary comparison, the revisor chief of the legislative reference bureau shall annex, at the end of one copy of each newly printed statute, which shall be filed in the office of the secretary of state as a public record, the revisor’s certificate certifying that the revisor bureau has compared each printed section therein with the original section of the statutes, or, as the case may be, with the original section contained in the enrolled act from which the section was derived, together with all
amendments of such original section, if any, and that all the sections appear to be
correctly printed. All other copies shall contain a printed copy of such certificate.

(3) Numbers and titles of chapters and sections. All chapters and sections
of Wisconsin statutes shall retain their present numbers and titles until changed by
the revisor legislative reference bureau or by statute. Each section shall be
designated by a mixed, decimal number, the whole number corresponding to the
chapter and the decimal to the section’s place in the chapter. The numbers and titles
of chapters and sections shall be printed in boldface type. Each subsection shall be
designated by a number, or by a number and a letter of the alphabet, enclosed in
parentheses. Each paragraph shall be designated by a letter or letters enclosed in
parentheses. Each subdivision shall be designated by a number or by a number and
a letter. Each paragraph of a subdivision shall be designated by a letter or letters.

SECTION 726L. 35.20 of the statutes is amended to read:

35.20 Wisconsin Town Law Forms. With each issue of Wisconsin statutes,
under the supervision of the revisor legislative reference bureau, an edition will be
printed as directed by the department for distribution by the department to all town
clerks, of a volume to be designated “Wisconsin Town Law Forms” containing
suitable forms for use in the administration of laws relating to: common schools; the
county board; the powers, duties and liabilities of towns, town officers and the
assessment of taxes; highways, bridges and drainage districts; and such other forms
as the revisor legislative reference bureau determines desirable and practicable.

SECTION 726n. 35.23 of the statutes is amended to read:

35.23 Wisconsin Annotations. The revisor legislative reference bureau shall
prepare such annotations as will keep the volume known as “Wisconsin
Annotations,” up to date, and to print such continuations in each biennial issue of
the Wisconsin statutes.

**SECTION 726p.** 35.50 (2) of the statutes is amended to read:

35.50 (2) Unless otherwise required by law, each edition of the Blue Book and
the reports specified in ss. 35.26 and 35.27, and reprints thereof, shall be
substantially the same in printing and binding as the previous edition of the same
publication. Unless otherwise determined by the chief of the legislative reference
bureau, each edition of the Laws of Wisconsin shall be substantially the same in
format, printing, and binding as the previous edition of the same publication. Unless
otherwise determined by the revisor of statutes legislative reference bureau, each
edition of the statutes and the Wisconsin administrative code and register shall be
substantially the same in format, printing, and binding as the previous edition of the
same publication.

**SECTION 726r.** 35.56 (1) (a) of the statutes is amended to read:

35.56 (1) (a) As a basis for printing of the statutes and the Wisconsin
administrative code and register, the department shall, before advertising for bids
and after consultation with the revisor legislative reference bureau, establish base
prices for 2-year periods and establish specifications subject to approval by the
revisor legislative reference bureau for 2-year periods.

**SECTION 726t.** 35.56 (5) of the statutes is amended to read:

35.56 (5) Notwithstanding subs. (1), (3) and (4), the revisor of statutes
legislative reference bureau shall approve specifications and production schedules
for the printing and binding of the Wisconsin statutes.

**SECTION 727.** 35.86 (1) of the statutes is amended to read:
35.86 (1) The director of the historical society may procure the exchange of public documents produced by federal, state, county, local, and other agencies as may be desirable to maintain or enlarge its historical, literary, and statistical collections, and may make such distributions of public documents, with or without exchange, as may accord with interstate or international comity. The state law librarian shall procure so many of such exchanges as the state law librarian is authorized by law to make, and the department of health and family services, department of children and families, commission of banking, department of public instruction, legislative reference bureau, and the legislative council staff, may procure by exchange such documents from other states and countries as may be needed for use in their respective offices. Any other state agency wishing to initiate a formal exchange program in accordance with this section may do so by submitting a formal application to the department and by otherwise complying with this section.

SECTION 727c. 35.91 (1) of the statutes is amended to read:

35.91 (1) The latest edition of the Wisconsin statutes shall be sold at a reasonable price, calculated to the nearest dollar, to be fixed as determined by the department, based on cost plus 75% of the revisor’s expenditures under s. 20.765 (3) (a) during the preceding biennium. The department may sell noncurrent editions of the Wisconsin statutes and Wisconsin annotations at reduced prices to be fixed by it.

SECTION 727g. 35.93 (1) of the statutes is amended to read:

35.93 (1) The Wisconsin administrative code and register shall be published using the format and method of printing and binding determined by the revisor legislative reference bureau. The notice section of the register and new rules filed by an agency whose rules have not been compiled and printed pursuant to this
section may be duplicated in some other form than printing if the department and
revisor legislative reference bureau determine that it is administratively feasible to
do so. The printing or other duplicating shall be performed or contracted by the
department. The department may purchase and sell suitable binders for the code or
parts thereof at a price not exceeding cost. The revisor legislative reference bureau
shall supervise the arrangement of materials in the Wisconsin administrative code
and register, including the numbering of pages and sections. No part of the
Wisconsin administrative code or register may be printed until the revisor legislative
reference bureau has approved the arrangement of materials and numbering of
sections therein.

SECTION 727j. 35.93 (3) of the statutes is amended to read:

35.93 (3) The revisor legislative reference bureau shall compile and deliver to
the department for printing copy for a register which shall contain all the rules filed
since the compilation of rules for the preceding issue of the register was made and
those executive orders which are to be in effect for more than 90 days or an
informative summary thereof. The complete register shall be compiled and
published before the first day of each month and a notice section of the register shall
be compiled and published before the 15th day of each month. Each issue of the
register shall contain a title page with the name “Wisconsin administrative register”,
the number and date of the register, and a table of contents. Each page of the register
shall also contain the date and number of the register of which it is a part in addition
to the other necessary code titles and page numbers. The revisor legislative
reference bureau may include in the register such instructions or information as in
the revisor's bureau's judgment will help the user to correctly make insertions and
deletions in the code and to keep the code current.
**SECTION 727m.** 35.93 (4) of the statutes is amended to read:

35.93 (4) Each issue of the Wisconsin administrative register shall contain a notice section in which shall be printed the notices of hearings on rule making which agencies have transmitted to the revisor legislative reference bureau for that purpose, statements of scope of proposed rules under s. 227.135, notices of submittal to the legislative council staff under s. 227.14 (4m), notices of intent to promulgate rules without a public hearing under s. 227.16 (2) (e), notices of referrals of proposed rules to presiding officers under s. 227.19 (2), notices of emergency rules in effect, fiscal estimates for rule-making orders under s. 227.14 (4) and such other notices as may be required by law or determined by the revisor legislative reference bureau to be appropriate.

**SECTION 727p.** 35.93 (6) of the statutes is amended to read:

35.93 (6) The department shall sell the code, issues of the register or parts of either of them at a price to be determined by it, which shall include the proportionate cost per copy of preparation and manufacturing as determined by the revisor of statutes legislative reference bureau, and the cost of sale and distribution specified in s. 35.80. State employee personnel costs shall be excluded from preparation costs. The department may establish the price of the code or of the register or parts thereof on an annual basis.

**SECTION 727s.** 35.93 (8) of the statutes is amended to read:

35.93 (8) The revisor legislative reference bureau shall prepare and the department shall publish a table of contents and an index of all the rules in effect which have been compiled and printed under this section. The table of contents and index shall be recompiled and reprinted annually. They shall be printed in the same
page size as the administrative code. The department shall distribute one copy of the
table of contents and index free to each subscriber to the register or parts thereof.

SECTION 730. 36.11 (3) (d) 1. of the statutes is amended to read:

36.11 (3) (d) 1. Except as provided in subd. 2., the board shall require that a $35
$44 fee accompany each application for admittance from persons seeking admittance
to any school within the system as new freshmen or as transfer students from outside
the system. The board may exempt from the fee under this subdivision, on the basis
of financial need, a maximum of 5% of the applications in any school year. The board
shall ensure that no less than $9 of the fee is used for admission application expenses.

SECTION 731. 36.11 (3) (d) 2. of the statutes is amended to read:

36.11 (3) (d) 2. The board shall require that a $45 $56 fee accompany each
application for admittance to a graduate school, law school or medical school within
the system. The board shall ensure that no less than $11 of the fee is used for
admission application expenses.

SECTION 731m. 36.11 (30) of the statutes is renumbered 36.59 (7) and amended
to read:

36.59 (7) INFORMATION TECHNOLOGY REPORTS. The board Board of Regents shall
prepare and submit reports to the joint committee on information policy and
technology upon request of the committee under s. 13.58 (5) (b) 3.

SECTION 731p. 36.11 (32) of the statutes is renumbered 36.59 (8) and amended
to read:

36.59 (8) COMPUTER SERVICES DATA COLLECTION. The board Board of Regents
shall collect and maintain data necessary to calculate numerical measures of the
efficiency and effectiveness of the mainframe computer services provided by the
board at the University of Wisconsin−Madison.
SECTION 732m. 36.11 (54) of the statutes is created to read:

36.11 (54) EMPLOYEE REPORTS. (a) In this subsection, “backup position” means a position that the board is contractually required to provide for an employee who resigns or is terminated from his or her current position.

(b) Annually, the board shall submit a report to the appropriate standing committees of the legislature under s. 13.172 (3) and to the governor that identifies the number of employees with limited appointments under s. 36.17 and rules promulgated thereunder, the number of employees with concurrent appointments, and the number of employees with employment contracts that require backup positions but who have not yet resigned or been terminated from their current positions.

SECTION 732p. 36.11 (55) of the statutes is created to read:

36.11 (55) INFORMATION ON INSTRUCTORS. The board shall ensure that each institution provides information to a student when he or she registers for a class about who will be teaching the class on a daily basis and whether the teacher has an academic staff appointment or tenure or probationary faculty appointment or is a teaching assistant.

SECTION 732t. 36.25 (13s) of the statutes is created to read:

36.25 (13s) MEDICAL PRACTICE IN UNDERSERVED AREAS. Of the moneys appropriated to the board under s. 20.285 (1) (fc) of the statutes, the board shall, beginning in fiscal year 2008–09, allocate $400,000 in each fiscal year for the department of family medicine and practice in the University of Wisconsin School of Medicine and Public Health to support the Wisconsin Academy for Rural Medicine, the Academy for Center–city Medical Education, and the Wisconsin Scholars Academy programs. The board may not expend any moneys allocated under this
subsection in a fiscal year unless the board receives $400,000 in gifts and grants from private sources in that fiscal year for supporting such programs.

**SECTION 732t.** 36.25 (47) of the statutes is created to read:

36.25 (47) DISCOVERY FARM GRANTS. (a) In this subsection, “discovery farm” means an operating commercial farm that conducts on-farm research under the Wisconsin agricultural stewardship initiative.

(b) From the appropriation under s. 20.285 (1) (qr), the board shall make grants through the extension to operators of discovery farms for research and outreach activities under the Wisconsin agricultural stewardship initiative.

**SECTION 733.** 36.27 (2) (cr) of the statutes is created to read:

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

1. The person graduated from a high school in this state or received a high school graduation equivalency from this state.
2. The person was continuously present in this state for at least one year following the first day of attending a high school in this state.
3. The person enrolls in an institution and provides that institution with an affidavit stating that the person has filed or will file an application for a permanent resident visa with U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

**SECTION 733mr.** 36.27 (3n) (b) 2. of the statutes is amended to read:

36.27 (3n) (b) 2. An Except as provided in subd. 2m., an unremarried surviving spouse of an eligible veteran. The remission under this subdivision applies only during the first 10 years after the veteran died.
SECTION 733mw. 36.27 (3n) (b) 2m. of the statutes is created to read:

36.27 (3n) (b) 2m. An unremarried surviving spouse of an eligible veteran who had a child with the eligible veteran. The remission under this subdivision applies only until 10 years after the youngest child that the spouse had with the eligible veteran reaches or would have reached 18 years of age, or during the first 10 years after the veteran died, whichever is longer.

SECTION 734. 36.27 (3n) (b) 3. of the statutes is amended to read:

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

SECTION 735. 36.27 (3n) (c) of the statutes is created to read:

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

SECTION 736. 36.27 (3p) (c) of the statutes is created to read:

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

SECTION 736e. 36.27 (5) (b) of the statutes is renumbered 36.27 (5) (b) 1.

SECTION 736m. 36.27 (5) (c) of the statutes is renumbered 36.27 (5) (b) 2. and amended to read:

36.27 (5) (b) 2. The board shall calculate the average subsidy for the purpose of the fee statement under par. (b) subd. 1 by dividing state funds in the appropriate fiscal year by the number of full-time equivalent students enrolled in the system in the most recent fall semester.

SECTION 736s. 36.27 (5) (d) of the statutes is created to read:
36.27 (5) (d) 1. The board shall ensure that the segregated fees applicable at each institution and college campus are posted on the Internet Web site of the institution or college campus. The board shall also ensure that detailed information on the organizations and activities for which allocable segregated fees are expended at each institution and college campus are posted on the Internet Web site of the institution or college campus.

2. The board shall ensure that each student’s bill for academic fees or nonresident tuition for a semester or session includes each of the following:

   a. The total amount of academic fees or nonresident tuition assessed on the student, which shall be listed separately from the amount specified in subd. 2. b.
   
   b. The total amount of segregated fees assessed on the student, which shall be listed separately from the amount specified in subd. 2. a.
   
   c. The Internet Web site address specified in subd. 1. for the institution or college campus at which the student is enrolled.

Section 736x. 36.59 of the statutes is created to read:

36.59 Information technology. (1) Strategic plan. (a) The Board of Regents shall require the system and each institution and college campus to adopt and submit to the board, in a form specified by the board, no later than March 1 of each year, a strategic plan for the utilization of information technology to carry out the functions of the system, institution, or college campus in the succeeding fiscal year for review and approval under par. (b).

(b) 1. As a part of each proposed strategic plan submitted under par. (a), the Board of Regents shall require the system and each institution and college campus to address the business needs of the system, institution, or college campus and to identify all proposed information technology development projects that serve those
business needs, the priority for undertaking such projects, and the justification for each project, including the anticipated benefits of the project. Each proposed plan shall identify any changes in the functioning of the system, institution, or college campus under the plan.

2. Each proposed strategic plan shall separately identify the initiatives that the system, institution, or college campus plans to undertake from resources available to the system, institution, or college campus at the time that the plan is submitted and initiatives that the system, institution, or college campus proposes to undertake that would require additional resources.

3. Following receipt of a proposed strategic plan from the system or an institution or college campus, the Board of Regents shall, before June 1, notify the system, institution, or college campus of any concerns that the Board of Regents may have regarding the plan and provide the system, institution, or college campus with its recommendations regarding the proposed plan. The Board of Regents may also submit any concerns or recommendations regarding any proposed plan to the information technology management board for its consideration. The information technology management board shall then consider the proposed plan and provide the Board of Regents with its recommendations regarding the plan. The system, institution, or college campus may submit modifications to its proposed plan in response to any recommendations.

4. Before June 15, the Board of Regents shall consider any recommendations provided by the information technology management board under subd. 3. and shall then approve or disapprove the proposed plan in whole or in part.

5. The system or an institution or college campus may not implement a new or revised information technology development project authorized under a strategic
plan until the implementation is approved by the Board of Regents in accordance with procedures prescribed by the board.

6. The Board of Regents shall consult with the joint committee on information policy and technology in providing guidance for planning by the system and institutions and college campuses.

(c) The Board of Regents shall develop and adopt the following written policies for information technology development projects included in the strategic plan required of the system and each institution and college campus under par. (a) and that either exceed $1,000,000 or that are vital to the functions of the system, institution, or college campus:

1. A standardized reporting format.

2. A requirement that both proposed and ongoing information technology development projects be included.

(d) The Board of Regents shall submit for review by the joint legislative audit committee and for approval by the joint committee on information policy and technology any proposed policies required under par. (c) and any proposed revisions to the policies.

(2) LARGE, HIGH-RISK PROJECTS. In consultation with the legislative audit bureau and the joint legislative audit committee, the Board of Regents shall promulgate administrative rules applicable to the system and each institution and college campus pertaining to large, high-risk information technology projects that shall include:

(a) A definition of and methodology for identifying large, high-risk information technology projects.
(b) Standardized, quantifiable project performance measures for evaluating large, high-risk information technology projects.

(c) Policies and procedures for routine monitoring of large, high-risk information technology projects.

(d) A formal process for modifying information technology project specifications when necessary to address changes in program requirements.

(e) Requirements for reporting changes in estimates of cost or completion date to the board and the joint committee on information policy and technology.

(f) Methods for discontinuing projects or modifying projects that are failing to meet performance measures in such a way to correct the performance problems.

(g) Policies and procedures for the use of master leases under s. 16.76 (4) to finance new large, high-risk information technology system costs and maintain current large, high-risk information technology systems.

(h) A standardized progress point in the execution of large, high-risk information technology projects at which time the estimated costs and date of completion of the project is reported to the board and the joint committee on information policy and technology.

(3) COMMERCIALY AVAILABLE PRODUCTS. The Board of Regents shall promulgate administrative rules applicable to the system and each institution and college campus pertaining to the use of commercially available information technology products, which shall include all of the following:

(a) A requirement that the system and each institution and college campus review commercially available information technology products prior to initiating work on a customized information technology development project to determine
whether any commercially available product could meet the information technology needs of the system, institution, or college campus.

(b) Procedures and criteria to determine when a commercially available information technology product must be used and when the system or an institution or college campus may consider the modification or creation of a customized information technology product.

(c) A requirement that the system and each institution and college campus submit for approval by the board and prior to initiating work on a customized information technology product a justification for the modification or creation by the system, institution, or college campus of a customized information technology product.

(4) Master leases. (a) In this subsection, “master lease” has the meaning given under s. 16.76 (4).

(b) Annually, no later than October 1, the Board of Regents shall submit to the governor and the members of the joint committee on information policy and technology a report documenting the use by the system and each institution and college campus of master leases to fund information technology projects in the previous fiscal year. The report shall contain all of the following information:

1. The total amount paid under master leases towards information technology projects in the previous fiscal year.

2. The master lease payment amounts approved to be applied to information technology projects in future years.

3. The total amount paid by the system and each institution and college campus on each information technology project for which debt is outstanding, as compared
to the total financing amount originally approved for that information technology project.

4. A summary of repayments made towards any master lease in the previous fiscal year.

(5) High-Cost Projects. (a) Except as provided in par. (b), the Board of Regents shall include in each contract with a vendor of information technology that involves a large, high-risk information technology project under sub. (2) or that has a projected cost greater than $1,000,000, and require the system and each institution and college campus that enters into a contract for materials, supplies, equipment, or contractual services relating to information technology to include in each contract with a vendor of information technology that involves a large, high-risk information technology project under sub. (2) or that has a projected cost greater than $1,000,000 a stipulation requiring the vendor to submit to the board for approval any order or amendment that would change the scope of the contract and have the effect of increasing the contract price. The stipulation shall authorize the board to review the original contract and the order or amendment to determine all of the following and, if necessary, to negotiate with the vendor regarding any change to the original contract price:

1. Whether the work proposed in the order or amendment is within the scope of the original contract.

2. Whether the work proposed in the order or amendment is necessary.

(b) The Board of Regents may exclude from a contract described in par. (a) the stipulation required under par. (a) if all of the following conditions are satisfied:

1. Including such a stipulation would negatively impact contract negotiations or significantly reduce the number of bidders on the contract.
2. If the exclusion is sought by the system or an institution or college campus, the system or that institution or college campus submits to the board a plain-language explanation of the reasons the stipulation was excluded and the alternative provisions the system, institution, or college campus will include in the contract to ensure that the contract will be completed on time and within the contract budget.

3. The board submits for approval by the joint committee on information policy and technology any explanation and alternative contract provisions required under subd. 2. If, within 14 working days after the date that the board submits any explanation and alternative contract provisions required under this subdivision, the joint committee on information policy and technology does not contact the board, the explanation and alternative contract provisions shall be deemed approved.

(6) Open-ended contracts. (a) The Board of Regents shall require the system and each institution and college campus that has entered into an open-ended contract for the development of information technology to submit to the board quarterly reports documenting the amount expended on the information technology development project. In this subsection, “open-ended contract” means a contract for information technology that includes one or both of the following:

1. Stipulations that provide that the contract vendor will deliver information technology products or services but that do not specify a maximum payment amount.

2. Stipulations that provide that the contract vendor shall be paid an hourly wage but that do not set a maximum limit on the number of hours required to complete the information technology project.

(b) Compile and annually submit to the joint committee on information technology the reports required under par. (a).
[7] REPORTS. No later than March 1 and September 1 of each year, the Board of Regents shall submit to the joint committee on information policy and technology a report that documents for each information technology project within the system with an actual or projected cost greater than $1,000,000 or that the board has identified as a large, high-risk information technology project under sub. (2) (a) all of the following:

(a) Original and updated project cost projections.

(b) Original and updated completion dates for the project and any stage of the project.

(c) An explanation for any variation between the original and updated costs and completion dates under pars. (a) and (b).

(d) A copy of any contract entered into by the board for the project and not provided in a previous report.

(e) All sources of funding for the project.

(f) The amount of any funding provided for the project through a master lease under s. 16.76 (4).

(g) Information about the status of the project, including any portion of the project that has been completed.

(h) Any other information about the project, or related information technology projects, requested by the joint committee on information policy and technology.

SECTION 737. 38.04 (21) (intro.) of the statutes is amended to read:

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

SECTI ON 737. 38.22 (6) (e) of the statutes is created to read:

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

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

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

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

SECTI ON 738m. 38.24 (7) (b) (intro.) of the statutes is amended to read:

38.24 (7) (b) (intro.) Except as provided in subds. 1. to 3. and par. (bm), the
district board shall grant full remission of fees under sub. (1m) (a) to (c) for 128
credits or 8 semesters, whichever is longer, less the number of credits or semesters
for which the person received remission of fees from any other district board under
this subsection and from the board of regents under s. 36.27 (3n) (b), to any resident
student who is also any of the following:

SECTI ON 738mr. 38.24 (7) (b) 2. of the statutes is amended to read:

38.24 (7) (b) 2. An Except as provided in subd. 2m., an unremarried surviving
spouse of an eligible veteran. The remission under this subdivision applies only
during the first 10 years after the veteran died.

SECTI ON 738mw. 38.24 (7) (b) 2m. of the statutes is created to read:
38.24 (7) (b) 2m. An unremarried surviving spouse of an eligible veteran who had a child with the eligible veteran. The remission under this subdivision applies only until 10 years after the youngest child that the spouse had with the eligible veteran reaches or would have reached 18 years of age, or during the first 10 years after the veteran died, whichever is longer.

SECTION 739. 38.24 (7) (b) 3. of the statutes is amended to read:
38.24 (7) (b) 3. A child of an eligible veteran, if the child is at least 18 but not yet 26 years of age and is a full-time student at a technical college.

SECTION 739m. 38.24 (7) (bm) of the statutes is created to read:
38.24 (7) (bm) To receive a fee remission under this subsection, a person must claim it by the end of each semester in which the person is eligible for the fee remission.

SECTION 740. 38.24 (7) (c) of the statutes is created to read:
38.24 (7) (c) The higher educational aids board shall reimburse the district board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s. 39.50 (2) and (3m).

SECTION 740g. 38.24 (8) (b) of the statutes is amended to read:
38.24 (8) (b) The Except as provided in par. (bm), the district board shall grant full remission of the fees charged under sub. (1m) (a) to (c) for 128 credits or 8 semesters, whichever is longer, less the number of credits or semesters for which the person received remission of fees from any other district board under this subsection and from the board of regents under s. 36.27 (3p) and less the amount of any fees paid under 10 USC 2107 (c) or 38 USC 3104 (a) (7) (A), to any student who is a veteran.

SECTION 740r. 38.24 (8) (bm) of the statutes is created to read:
38.24 (8) (bm) 1. To receive a fee remission under this subsection, a person must claim it by the end of each semester in which the person is eligible for the remission.

2. The remission under this subsection applies only to semesters that begin within 10 years after a veteran is separated from service.

SECTION 741. 38.24 (8) (c) of the statutes is created to read:

38.24 (8) (c) The higher educational aids board shall reimburse the district board for all fees under sub. (1m) (a) to (c) remitted under par. (b) as provided in s. 39.50 (2) and (3m).

SECTION 743m. 38.41 (2) and (3) of the statutes are created to read:

38.41 (2) (a) The board may award a grant of up to $20,000 to a district board to provide skills training or other education to a business if all of the following apply:

1. The business is located in this state and satisfies any of the following criteria:
   a. The business has no more than 100 employees.
   b. The business had no more than $10,000,000 in gross annual income in its most recent fiscal year.

2. The district board agrees in writing to use the grant only to provide skills training or other education related to the needs of the business to current or prospective employees of the business.

3. The business agrees in writing to comply with par. (b).

4. The business and the district board submit a plan to the board detailing the proposed use of the grant, and the board approves the plan.

5. The business and the district board enter into a written agreement with the board that specifies the conditions for the use of the grant, including reporting and auditing requirements.
6. The business and the district board agree in writing to submit to the board the report required under par. (c) by the time required under par. (c).

7. The business provides matching funds at least equal to the amount of the grant. The board may waive the requirement under this subdivision if the board determines that the business is subject to extreme financial hardship.

(b) A grant under this subsection may not be used for any of the following:

1. To pay more than 80 percent of the cost of any skills training or other education related to a business that is provided to the owner of the business, the owner’s spouse, or a child of the owner.

2. To pay wages or compensate for lost revenue, if any, in connection with providing the training or other education, or otherwise.

(c) A district board that receives a grant under this subsection shall submit to the board, within 6 months after the grant has been fully depleted, a report prepared jointly with the business detailing how the grant was used.

(3) (a) The board shall award grants under this section from the appropriation under s. 20.292 (1) (eh).

(b) The board may award no more than $1,500,000 in the 2007–08 fiscal year, and no more than $2,000,000 in any fiscal year thereafter, under sub. (1).

(c) The board may award no more than $500,000 in the 2007–08 fiscal year, and no more than $1,000,000 in any fiscal year thereafter, under sub. (2).

SECTION 743s. 39.12 (5) of the statutes is amended to read:

39.12 (5) Any corporation established under this section shall be organized so that contributions to it will be deductible from adjusted gross income under section 170 of the internal revenue code and so that the corporation will be exempt from
Section 743. 39.435 (7) (a) 1. of the statutes is amended to read:

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

Section 745. 39.435 (7) (a) 1. of the statutes is amended to read:

39.435 (7) (a) 1. For purposes of calculating the amount to be appropriated under s. 20.235 (1) (fe) for each fiscal year after fiscal year 2007–08 2009–10, “base amount” means the appropriation amount calculated under par. (b) for the previous fiscal year.

Section 746. 39.435 (7) (a) 2. of the statutes is amended to read:

39.435 (7) (a) 2. For purposes of calculating the amount to be appropriated under s. 20.235 (1) (fe) for each fiscal year after fiscal year 2007–08 2009–10, “base amount” means the appropriation amount calculated under par. (b) for the previous fiscal year.

Section 747. 39.435 (7) (b) (intro.) of the statutes is amended to read:

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

Section 748. 39.437 of the statutes is created to read:

39.437 Wisconsin covenant scholars grants. (1) Establishment of grant program. There is established, to be administered by the board, a Wisconsin Covenant Scholars Program to provide grants to students who meet the eligibility criteria specified in sub. (2).

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

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

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

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

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

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

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

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

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

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

SECTION 748. 39.47 (1) of the statutes is amended to read:

39.47 (1) There is established, to be administered by the board, a Minnesota–Wisconsin student reciprocity agreement, the purpose of which shall be to ensure that neither state shall profit at the expense of the other and that the determination of any amounts owed by either state under the agreement shall be based on an equitable formula which reflects the educational costs incurred by the 2 states, reflects any differentials in usage by residents of either state of the public institutions of higher education located in the other state, and reflects any
differentials in the resident tuition charged at comparable public institutions of 
higher education of the 2 states. The board, representing this state, shall enter into 
an agreement meeting the requirements of this section with the designated body 
representing the state of Minnesota.

SECTION 748u. 39.47 (2) of the statutes is amended to read:

39.47 (2) The agreement under this section shall provide for the waiver of 
nonresident tuition for a resident of either state who is enrolled in a public vocational 
school located in the other state. The agreement shall also establish a reciprocal fee 
structure for residents of either state who are enrolled in public institutions of higher 
education, other than vocational schools, located in the other state. The reciprocal 
fee may not exceed the higher of the resident tuition that would be charged the 
student at the public institution of higher education in which the student is enrolled 
or the resident tuition that would be charged the student at comparable public 
institutions of higher education located in his or her state of residence, as specified 
in the annual administrative memorandum under sub. (2g). The agreement shall 
take effect on July 1, 1998 2007. The agreement is subject to the approval of the joint 
committee on finance under s. 39.42.

SECTION 748v. 39.47 (3) of the statutes is amended to read:

39.47 (3) Annually At the end of each semester or academic term, each state 
shall determine the number of students for whom nonresident tuition has been 
waived under the agreement. Each state shall certify to the other state, in addition 
to the number of students so determined, the aggregate amount of its reimbursement 
obligation. The state with the smaller larger reimbursement obligation shall receive 
from the other state pay as provided in the agreement an amount determined by 
subtracting the reimbursement obligation of the state receiving the payment with
the smaller reimbursement obligation from the reimbursement obligation of the state making the payment with the larger reimbursement obligation. The agreement shall provide a reasonable date for payment of any such sums due and owing to either state, after which date interest may be charged on the amount owed. The methodology for determination of the appropriate interest rate shall be included in the agreement. Any payments received by this state under this subsection shall be deposited in the general fund.

**SECTION 749.** 39.50 of the statutes is created to read:

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

(2) TECHNICAL COLLEGES. At the end of each semester, each technical college district board shall certify to the board the number of students enrolled in the technical college governed by the district board to whom any fees have been remitted under s. 38.24 (7) or (8), the number of credits for which those fees have been remitted, and the amount of those fees remitted. Subject to sub. (3m), if the board
approves the information certified under this subsection, the board, from the
appropriation account under s. 20.235 (1) (fz), shall reimburse the district board for
the full amount of fees remitted.

(3m) PRORATED REIMBURSEMENT. In June of each fiscal year, the board shall
determine the total amount of fees and nonresident tuition remitted by the board of
regents that are eligible for reimbursement under sub. (1) and fees remitted by the
district boards that are eligible for reimbursement under sub. (2). If the moneys
appropriated under s. 20.235 (1) (fz) are not sufficient to reimburse the board of
regents for the full amount of those fees and that nonresident tuition and each
district board for the full amount of those fees, the board shall prorate the
reimbursement paid under subs. (1) and (2) in the proportion that the moneys
available bears to the total amount eligible for reimbursement under subs. (1) and
(2).

SECTION 756. 40.02 (28) of the statutes is amended to read:

40.02 (28) “Employer” means the state, including each state agency, any
county, city, village, town, school district, other governmental unit or
instrumentality of 2 or more units of government now existing or hereafter created
within the state, any federated public library system established under s. 43.19
whose territory lies within a single county with a population of 500,000 or more, a
local exposition district created under subch. II of ch. 229 and a family long-term
care district created under s. 46.2895, except as provided under ss. 40.51 (7) and
40.61 (3) and subch. X. “Employer” does not include a local cultural arts district
created under subch. V of ch. 229. Each employer shall be a separate legal
jurisdiction for OASDHI purposes.
**SECTION 757.** 40.02 (28) of the statutes, as affected by 1999 Wisconsin Act 65, is amended to read:

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

**SECTION 759.** 40.02 (36) of the statutes is amended to read:

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

**SECTION 761.** 40.02 (54) (L) of the statutes is created to read:

40.02 (54) (L) The Health Insurance Risk-Sharing Plan Authority.
SECTION 763. 40.05 (4) (a) 2. of the statutes is amended to read:

40.05 (4) (a) 2. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m., the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the date on which the employee becomes insured. For an insured state employee who is currently employed, but who is not a limited term appointment under s. 230.26 or an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m., the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee begins employment with the state, not including any leave of absence. For an insured employee who has a limited term appointment under s. 230.26, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee first becomes a participating employee.

SECTION 770c. 40.51 (8) of the statutes is amended to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8) and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.855, 632.857 (3) to (6), 632.895 (5m) and (8) to (14) (15), and 632.896.

SECTION 770d. 40.51 (8m) of the statutes is amended to read:

40.51 (8m) Every health care coverage plan offered by the group insurance board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.895 (11) to (14) (15).
SECTION 770g. 41.41 (10) (a) 1. of the statutes is renumbered 41.41 (10) (a) 1.
a. and amended to read:

41.41 (10) (a) 1. a. “EstimatedSubject to subd. 1. b., “estimated value”, for the
year following the year in which the department acquires land within the Kickapoo
valley reserve or the board acquires land under sub. (7), means the full value of the
land determined by the department of revenue and, for each later year, means the
value that was used for calculating the aid payment under this subsection on the
land for the prior year increased or decreased to reflect the annual percentage change
in the equalized valuation of all real property, excluding improvements, in the
taxation district in which the land is located, as determined by comparing the most
recent determination of equalized valuation under s. 70.57 for all real property to the
next preceding determination of equalized valuation under s. 70.57 for all real
property.

SECTION 770m. 41.41 (10) (a) 1. b. of the statutes is created to read:

41.41 (10) (a) 1. b. The “estimated value” of the land in the town of Stark in
Vernon County shall include, in 2008, the value of improvements constituting the
Kickapoo Valley Reserve Visitor Center and the maintenance buildings associated
with the Kickapoo Valley Reserve Visitor Center and, in each later year, the value
that was included under this subd. 1. b. in the prior year increased or decreased in
the manner described in subd. 1. a.

SECTION 781p. 42.04 of the statutes is amended to read:

42.04 Private operation and leasing. The state fair park board may provide
for the operation and leasing of any facilities by private entrepreneurs, except that
the state fair park board shall reserve the use of state fair park facilities for a
sufficient period of time every year for purposes of conducting an annual state fair.

This section does not apply to a lease authorized under s. 42.11 (3).

SECTION 781r. 42.11 of the statutes is repealed and recreated to read:

42.11 Olympic Ice Training Center. The state fair park board may purchase the Olympic Ice Training Center and associated land and parking areas from the Pettit National Ice Center, Inc., if the Pettit National Ice Center, Inc., discontinues its operation of the facility as an ice skating rink and training facility.

SECTION 781s. 42.115 of the statutes is repealed.

SECTION 781t. 42.12 (1) of the statutes is amended to read:

42.12 (1) Beginning on July 1, 1992, in each fiscal year, the state fair park board may award a grant to the city of West Allis to be used to provide crowd and traffic control services related to events held at the state fair park, including events associated with the Olympic Ice Training Center under s. 42.11.

SECTION 781v. 42.13 of the statutes is created to read:

42.13 Financial reports. (1) The state fair park board shall make quarterly reports to the department of administration and the joint committee on finance projecting the revenues and expenditures for the ensuing quarter for each of the board’s program revenue appropriation accounts.

(2) (a) The state fair park board shall annually submit to the department of administration a plan to ensure that there are sufficient revenues to meet projected expenditures under the board’s program revenue appropriation accounts and to eliminate any deficits that have developed in those accounts.

(b) The department of administration may approve or approve with modifications each plan submitted by the state fair park board under par. (a). The department shall forward the plan as approved to the joint committee on finance by
November 15 of each year. If the cochairpersons of the joint committee on finance do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed plan within 14 working days after the date of the secretary’s submittal, any portion of the plan that does not require the action of the legislature or the action of the committee under another law may be implemented. If, within 14 working days after the date of the secretary’s submittal, the cochairpersons of the joint committee on finance notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, no part of the plan may be implemented without the approval of the committee.

(3) Subsections (1) and (2) do not apply after December 31, 2013.

SECTION 781x. 43.70 (3) of the statutes is amended to read:

43.70 (3) Immediately upon making such apportionment, the state superintendent shall certify to the department of administration the estimated amount that each school district is entitled to receive under this section and shall notify each school district administrator of the estimated amount so certified for his or her school district. The department of administration shall distribute each school district’s aid entitlement in one payment on or before May 1. The amount paid to each school district shall be based upon the amount in the appropriation account under s. 20.255 (2) (s) on April 15. All moneys distributed under this section shall may be expended only for the purchase of instructional materials from the state historical society for use in teaching Wisconsin history and for the purchase of library books and other instructional materials for school libraries, but not for public library facilities operated by school districts under s. 43.52, in accordance with rules promulgated by the state superintendent. In addition, a school district may use up to 25 percent of the moneys received in a fiscal year under this section to purchase
school library computers and related software if the school board consults with the
person who supervises the school district’s libraries and the computers and software
are housed in the school library. Appropriate records of such all purchases under this
section shall be kept and necessary reports thereon shall be made to the state
superintendent.

SECTION 782. 44.02 (28) of the statutes is created to read:

44.02 (28) Annually distribute the amount appropriated under s. 20.245 (1) (b)
as a grant to the Wisconsin Black Historical Society and Museum to fund the
operations of that society and museum.

SECTION 782m. 45.03 (13) (f) of the statutes is created to read:

45.03 (13) (f) Provide services related to post-traumatic stress disorder to
service members and veterans, which shall include at least one of the following
services:

1. Outreach services to service members and veterans who may be experiencing
post-traumatic stress disorder.

2. Information on the availability of post-traumatic stress disorder medical
services and referrals to those services.

SECTION 783. 45.03 (20) of the statutes is amended to read:

45.03 (20) TRANSFER OF FUNDS TO THE VETERANS TRUST FUND. If the balance in
the appropriation account under s. 20.485 (1) (gk) is in excess of the amount needed
for the care of the members of the Wisconsin veterans homes under s. 45.50 and the
payment of stipends under s. 45.50 (9) during fiscal year 2006–07 2007–08 or
2008–09, the department may request permission from the joint committee on
finance to transfer the excess moneys to the veterans trust fund. If the
cochairpersons of the committee do not notify the department within 14 working
days after the date of receipt of the department’s request that the committee has scheduled a meeting for the purpose of reviewing the transfer, the transfer may be made as proposed by the department. If, within 14 working days after the date of receipt of the department’s request, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed transfer, the transfer may be made only upon approval of the committee. The total amount transferred under this subsection may not exceed $16,000,000.

SECTION 783m. 45.045 of the statutes is created to read:

45.045 Veteran registry. The department shall establish a voluntary statewide registry that will collect information from veterans and inform veterans on health issues, including post-traumatic stress disorder, Agent Orange, and Gulf War syndrome.

SECTION 784. 45.20 (2) (d) 2. b. of the statutes is amended to read:

45.20 (2) (d) 2. b. A statement that the veteran is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the department of workforce development children and families or its designee within 7 working days before the date of the application.

SECTION 785. 45.33 (2) (b) 1. b. of the statutes is amended to read:

45.33 (2) (b) 1. b. A statement that the person is not delinquent in child support or maintenance payments and does not owe past support, medical expenses, or birth expenses, signed by the department of workforce development children and families or its designee within 7 working days before the date of the application.

SECTION 785d. 45.40 (1) (b) of the statutes is amended to read:
45.40 (1) (b) The maximum amount that any veteran may receive under this subsection per occurrence during a consecutive 12-month period may not exceed $2,000 $3,000.

**SECTION 785g.** 45.40 (2) (b) of the statutes is repealed.

**SECTION 785m.** 45.40 (3) of the statutes is amended to read:

45.40 (3) LIMITATIONS. The total cumulative amount that any veteran may receive under this section may not exceed $5,000 $7,500.

**SECTION 786.** 45.42 (6) (b) of the statutes is amended to read:

45.42 (6) (b) Provides to the department a statement that the applicant is not delinquent in child support or maintenance payments and does not owe past support, medical expenses, or birth expenses, signed by the department of workforce development children and families or its designee within 7 working days before the date of the application.

**SECTION 786g.** 45.43 (1) of the statutes is amended to read:

45.43 (1) The department shall administer a program to provide assistance to persons who served in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and who were discharged under conditions other than dishonorable. The department shall provide assistance to persons whose need for services is based upon homelessness, incarceration, or other circumstances designated by the department by rule. The department shall designate the assistance available under this section, which may include assistance in receiving medical care, dental care, education, employment, and transitional housing. The department may provide payments to facilitate the provision of services under this section. From the appropriation under s. 20.485 (2) (ac), the department shall provide $15,000 annually during fiscal years 2007–08 and 2008–09 to the Center for
Veterans Issues, Ltd., of Milwaukee, to provide outreach services to homeless 
veterans with post-traumatic stress disorder.

**SECTION 786m.** 45.43 (3) of the statutes is created to read:

45.43 (3) The department shall annually provide the governor, and the 
appropriate standing committees of the legislature under s. 13.172 (3), with the
number of veterans that were referred to the U.S. veterans administration hospitals,
veterans centers, or other health care facilities as a result of telemedicine facilities.
This subsection does not apply after June 30, 2009.

**SECTION 786u.** 45.51 (9) of the statutes is repealed.

**SECTION 787.** 45.51 (10) (b) of the statutes is amended to read:

45.51 (10) (b) Except where a sale occurs under s. 16.848, the
The department
may manage, sell, lease, or transfer property passing to the state pursuant to this
section or conveyed to it by members, defend and prosecute all actions concerning it,
pay all just claims against it, and do all other things necessary for the protection,
preservation, and management of the property. All expenditures necessary for the
execution of functions under this paragraph or sub. (14) shall be made from the
appropriation in s. 20.485 (1) (h).

**SECTION 788.** 45.51 (13) (intro.) of the statutes is amended to read:

45.51 (13) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SKILLED NURSING FACILITIES. 
(intro.) Any person admitted to a skilled nursing facility at a veterans home shall
meet the eligibility requirements under ss. 49.45 and 49.46, and, if applicable, s.
49.471 and rules promulgated under those sections during residence at the skilled
nursing facility except if any of the following apply:

**SECTION 789.** 45.51 (13) (a) of the statutes is amended to read:
45.51 (13) (a) Persons with sufficient income and resources to meet the expenses of care for one or more months may be admitted to the skilled nursing facility but shall apply income and resources to costs to the extent required under ss. 49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated under those sections.

**SECTION 790.** 45.51 (13) (b) of the statutes is amended to read:

45.51 (13) (b) Persons who meet all the requirements of this section but whose degree of physical disability does not meet the minimum requirements under ss. 49.45 and 49.46 and rules promulgated under those sections may be admitted to the skilled nursing facility but shall apply income and resources to costs to the extent required by ss. 49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated under those sections.

**SECTION 791.** 45.61 (2) (a) of the statutes is amended to read:

45.61 (2) (a) A person who died while on active duty or who was discharged or released from active duty in the U.S. armed forces under honorable conditions other than dishonorable and who was a resident of this state at the time of his or her entry or reentry into active service and his or her dependent child and surviving spouse.

**SECTION 791m.** 45.61 (2) (am) of the statutes is created to read:

45.61 (2) (am) A person who died while on active duty in the U.S. armed forces or in forces incorporated in the U.S. armed forces.

**SECTION 792.** 45.61 (2) (b) of the statutes is amended to read:

45.61 (2) (b) A person who was discharged or released from active duty in the U.S. armed forces under honorable conditions other than dishonorable and who was a resident of this state at the time of his or her death and his or her dependent child and surviving spouse.
SECTION 792c. 45.61 (5) of the statutes is renumbered 45.61 (5) (a) and amended to read:

45.61 (5) EXPENSES. (a) Expenses incident to the burial under this section of persons described in sub. (2) (a) and (b) to (e) shall be paid from the estate of the decedent, except that if there is no estate or the estate is insufficient, the expense of burial, or necessary part of the burial, shall be paid from the appropriation under s. 20.485 (1) (gk) for members of veterans homes, and the amount expended for those expenses shall not exceed the amount established for funeral and burial expenses under s. 49.785 (1) (b).

SECTION 792e. 45.61 (5) (b) of the statutes is created to read:

45.61 (5) (b) Expenses incident to the burial under this section of persons described in sub. (2) (am) shall be paid from the estate of the decedent, except that if there is no estate or the estate is insufficient, the expense of burial, or necessary part of the burial, shall be paid by the relatives who requested the burial.

SECTION 793. 46.001 of the statutes is amended to read:

46.001 Purposes of chapter. The purposes of this chapter are to conserve human resources in Wisconsin; to provide a just and humane program of services to children and unborn children in need of protection or services, nonmarital children and the expectant mothers of those unborn children; to prevent dependency, mental illness, developmental disability, mental infirmity, and other forms of social maladjustment by a continuous attack on causes; to provide effective aid and services to all persons in need thereof of that aid and those services and to assist those persons to achieve or regain self-dependence at the earliest possible date; to avoid duplication and waste of effort and money on the part of public and private agencies; and to coordinate and integrate a social welfare program.
SECTION 794. 46.011 (intro.) of the statutes is amended to read:

**46.011 Definitions.** (intro.) In chs. 46, 48, 50, 51, 54, 55, and 58:

SECTION 795. 46.011 (1g) of the statutes is created to read:

46.011 (1g) “Disabled children’s long-term support program” means the programs described under 2001 Wisconsin Act 16, section 9123 (16rs), and 2003 Wisconsin Act 33, section 9124 (8c).

SECTION 796. 46.014 (4) of the statutes is renumbered 49.265 (6) and amended to read:

49.265 (6) REPORTS. At least annually, the secretary shall submit a report to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), concerning activities of community action agencies under s. 46.30 this section and their effectiveness in promoting social and economic opportunities for poor persons.

SECTION 797. 46.016 of the statutes is amended to read:

**46.016 Cooperation with federal government.** The department may cooperate with the federal government in carrying out federal acts concerning public assistance, social security, child welfare and youth services, mental hygiene, services for the blind, and in other matters of mutual concern pertaining to public welfare.

SECTION 798. 46.02 of the statutes is amended to read:

**46.02 Agency powers and duties.** Any institution which is subject to chs. 46, 48 49 to 51, 55, and 58 and to regulation under ch. 150 shall, in cases of conflict between chs. 46, 48 49 to 51, 55, and 58 and ch. 150, be governed by ch. 150. The department shall promulgate rules and establish procedures for resolving any such controversy a conflict.

SECTION 799. 46.023 of the statutes is renumbered 48.562.
SECTION 800. 46.03 (4) (b) of the statutes is amended to read:

46.03 (4) (b) In order to discharge more effectively its responsibilities under this chapter and ch. 48 and other relevant provisions of the statutes, be authorized to study causes and methods of prevention and treatment of mental illness, mental deficiency, mental infirmity, and related social problems, including establishment of demonstration projects to apply and evaluate such methods in actual cases. The department is directed and authorized to utilize all powers provided by the statutes, including the authority under sub. (2a), to accept grants of money or property from federal, state, or private sources, and to enlist the cooperation of other appropriate agencies and state departments. The department may enter into agreements with local government subdivisions, departments, and agencies for the joint conduct of these projects, and it may purchase services when deemed considered appropriate.

SECTION 801. 46.03 (7) (a) of the statutes is amended to read:

46.03 (7) (a) Promote the enforcement of laws for the protection of developmentally disabled children, children and unborn children in need of protection or services and nonmarital children; and to this end cooperate with courts assigned to exercise jurisdiction under chs. 48 and 938, licensed child welfare agencies, and public and private institutions and take the initiative in all matters involving the interests of those children and unborn children when adequate provision for those interests has not already been made, including the establishment and enforcement of standards for services provided under ss. 48.345 and 48.347.

SECTION 802. 46.03 (7) (bm) of the statutes is amended to read:

46.03 (7) (bm) Maintain a file containing records of artificial inseminations under s. 891.40, declarations of paternal interest under s. 48.025, and statements acknowledging paternity under s. 69.15 (3) (b). The department may release those
records, declarations, and statements only upon an order of the court except that the
department may use nonidentifying information concerning artificial inseminations
for the purpose of compiling statistics, declarations of paternal interest shall be
released as provided in s. 48.025 (3) (b) and (c), and statements acknowledging
paternity shall be released without a court order to the department of workforce
development children and families or a county child support agency under s. 59.53
(5) upon the request of that department or county child support agency pursuant to
the program responsibilities under s. 49.22 or to any other person with a direct and
tangible interest in the statement.

SECTION 803. 46.03 (7) (c) of the statutes is repealed.

SECTION 804. 46.03 (7) (cm) of the statutes is renumbered 48.47 (7) (cm).

SECTION 805. 46.03 (7) (d) of the statutes is renumbered 48.47 (7) (d).

SECTION 806. 46.03 (7) (e) of the statutes is repealed.

SECTION 807. 46.03 (7) (f) of the statutes is renumbered 48.47 (7) (f).

SECTION 808. 46.03 (7) (h) of the statutes is renumbered 48.47 (7) (h).

SECTION 809. 46.03 (7g) of the statutes is renumbered 48.47 (7g) and amended
to read:

48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. Establish
a statewide automated child welfare information system. Notwithstanding ss.
46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,
51.45 (14) (a), 55.06 (17) (c) 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396
(1) and (2) (a) 938.396 (1) and (2), and 938.78 (2) (a), the department may enter the
content of any record kept or information received by the department into the
statewide automated child welfare information system, and a county department
under s. 46.215, 46.22, or 46.23, the department, or any other organization that has
entered into an information sharing and access agreement with the department or any of those county departments and that has been approved for access to the statewide automated child welfare information system by the department may have access to information that is maintained in that system, if necessary to enable the county department, department, or organization to perform its duties under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b to or to coordinate the delivery of services under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b.

**SECTION 810.** 46.03 (7m) of the statutes is renumbered 48.62 (7) and amended to read:

**48.62 (7) FOSTER CARE.** In each federal fiscal year, the department shall ensure that there are no more than 2,200 children in foster care and treatment foster care placements for more than 24 months, consistent with the best interests of each child. Services provided in connection with this requirement shall comply with the requirements under P.L. 96−272.

**SECTION 812c.** 46.03 (18) (a) of the statutes is amended to read:

**46.03 (18) (a)** Except as provided in s. 46.10 (14) (b) and (c), the department of health and family services shall establish a uniform system of fees for services provided or purchased by the department of health and family services, or a county department under s. 46.215, 46.22, 51.42, or 51.437, except for services provided under ch. 48 and subch. III of ch. 49; services relating to adoption; services provided to courts; outreach, information and referral services; or where when, as determined by the department, a fee is administratively unfeasible or would significantly prevent accomplishing the purpose of the service. A county department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees which
it collects under this program to cover the cost of such services. The department of health and family services shall report to the joint committee on finance no later than March 1 of each year on the number of children placed for adoption by the department of health and family services during the previous year and the costs to the state for services relating to such adoptions.

SECTION 813. 46.03 (18) (am) of the statutes is amended to read:

46.03 (18) (am) Paragraph (a) does not prevent the department from charging and collecting the cost of adoptive placement investigations and child care as authorized under s. 48.837 (7). Paragraph (a) also does not prevent a county department under s. 51.42 or 51.437 from charging and collecting the cost of an examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

SECTION 814. 46.03 (18) (ar) of the statutes is created to read:

46.03 (18) (ar) A county may retain fees that it collects under this subsection for services the county provides without state funding under the disabled children’s long-term support program.

SECTION 815. 46.03 (20) (a) of the statutes is amended to read:

46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49, the department may make payments directly to recipients of public assistance or to such persons authorized to receive such payments in accordance with law and rules of the department on behalf of the counties. Except for payments provided under ch. 48 or subch. III of ch. 49, the department may charge the counties for the cost of operating public assistance systems which make such payments.

SECTION 816. 46.03 (22) (title) of the statutes is amended to read:

46.03 (22) (title) Community living arrangements for adults.

SECTION 817. 46.03 (22) (a) of the statutes is amended to read:
46.03 (22) (a) “Community living arrangement for adults” means any of the following facilities licensed or operated, or permitted under the authority of the department: residential care centers for children and youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based residential facilities a community-based residential facility, as defined in s. 50.01 (1g); but does not include adult family homes, as defined in s. 50.01 (1), day care centers, nursing homes, general hospitals, special hospitals, prisons, and jails.

Section 818. 46.03 (22) (b) of the statutes is amended to read:

46.03 (22) (b) Community living arrangements for adults shall be subject to the same building and housing ordinances, codes, and regulations of the municipality or county as similar residences located in the area in which the facility is located.

Section 819. 46.03 (22) (c) of the statutes is amended to read:

46.03 (22) (c) The department shall designate a subunit to keep records and supply information on community living arrangements for adults under ss. 59.69 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving all complaints regarding community living arrangements for adults and for coordinating all necessary investigatory and disciplinary actions under the laws of this state and under the rules of the department relating to the licensing of community living arrangements for adults.

Section 820. 46.03 (22) (d) of the statutes is amended to read:

46.03 (22) (d) A community living arrangement for adults with a capacity for 8 or fewer persons shall be a permissible use for purposes of any deed covenant which limits use of property to single-family or 2-family residences. A community living arrangement for adults with a capacity for 15 or fewer persons shall be a permissible
use for purposes of any deed covenant which limits use of property to more than
2-family residences. Covenants in deeds which expressly prohibit use of property
for community living arrangements for adults are void as against public policy.

**SECTION 820.** 46.03 (22) (e) of the statutes is amended to read:

46.03 (22) (e) If a community living arrangement for adults is required to
obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall,
at the request of the unit of government responsible for granting the special zoning
permission, inspect the proposed facility and review the program proposed for the
facility. After such inspection and review, the department shall transmit to the unit
of government responsible for granting the special zoning permission a statement
that the proposed facility and its proposed program have been examined and are
either approved or disapproved by the department.

**SECTION 821.** 46.03 (29) of the statutes is repealed.

**SECTION 822.** 46.03 (39) of the statutes is renumbered 48.47 (39).

**SECTION 823.** 46.031 (3) (a) of the statutes is amended to read:

46.031 (3) (a) Citizen advisory committee. Except as provided in par. (b), the
county board of supervisors of each county or the county boards of supervisors of 2
or more counties jointly shall establish a citizen advisory committee to the county
departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory
committee shall advise in the formulation of the budget under sub. (1). Membership
on the committee shall be determined by the county board of supervisors in a county
with a single-county committee or by the county boards of supervisors in counties
with a multicounty committee and shall include representatives of those persons
receiving services, providers of service and citizens. A majority of the members of the
committee shall be citizen and service consumers. At least one member of the
committee shall be chosen from the governing or administrative board of the community action agency serving the county or counties under s. 46.30, if any. The committee's membership may not consist of more than 25% county supervisors, nor of more than 20% service providers. The chairperson of the committee shall be appointed by the county board of supervisors establishing it. In the case of a multicounty committee, the chairperson shall be nominated by the committee and approved by the county boards of supervisors establishing it. The county board of supervisors in a county with a single-county committee or the county boards of supervisors in counties with a multicounty committee may designate an agent to determine the membership of the committee and to appoint the committee chairperson or approve the nominee.

**SECTION 825.** 46.034 (1) of the statutes is amended to read:

46.034 (1) The department, in order to discharge more effectively its responsibilities under this chapter and chs. 48, 51, 250, and 251 and other relevant provisions of the statutes, may establish community human services pilot programs for the study, implementation, and evaluation of improved human services delivery systems. In the implementation of such those pilot programs, the requirement of statewide uniformity with respect to the organization and governance of human services shall not apply. The department and local governmental bodies may establish such departments, boards, committees, organizational structures, and procedures as may be needed to implement the pilot programs. The departments, boards, committees, and organizational structures may assume responsibilities currently assigned by statute to the departments, boards, committees, or organizational structures that are replaced.

**SECTION 826.** 46.036 (1) of the statutes is amended to read:
46.036 (1) All care and services purchased by the department or by a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, except as provided under subch. III of ch. 49 and s. 301.08 (2), shall be authorized and contracted for under the standards established under this section. The department may require the county departments to submit the contracts to the department for review and approval. For purchases of $10,000 or less the requirement for a written contract may be waived by the department. No contract is required for care provided by foster homes or treatment foster homes that are required to be licensed under s. 48.62. When the department directly contracts for services, it shall follow the procedures in this section in addition to meeting purchasing requirements established in s. 16.75.

SECTION 827. 46.036 (4) (a) of the statutes is amended to read:

46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double entry accounting system and a management information system which are compatible with cost accounting and control systems prescribed by the department. The department shall establish a simplified double entry bookkeeping system for use by family-operated group homes. Each purchaser shall determine whether a family-operated group home from which it purchases services shall use the double entry accounting system or the simplified system and shall include this determination in the purchase of service contract. In this paragraph, “family-operated group home” means a group home licensed under s. 48.66 (1) (a) for which the licensee is one or more individuals who operate not more than one group home.

SECTION 829c. 46.036 (4) (c) of the statutes is amended to read:

46.036 (4) (c) Unless waived by the department, biennially, or annually if required under federal law, provide the purchaser with a certified financial and
compliance audit report if the care and services purchased exceed $25,000. The audit shall follow standards that the department prescribes. A purchaser may waive the requirements of this paragraph for any family-operated group home, as defined under par. (a), from which it purchases services.

**Section 829c**

**Section 830.** 46.037 of the statutes is renumbered 49.343 and amended to read:

**49.343 Rates for residential child care centers and group homes. (1)** Subject to sub. (1m), each residential child care center for children and youth, as defined in s. 48.02 (15d), and each group home, as defined in s. 48.02 (7), that is licensed under s. 48.625 and incorporated under ch. 180, 181, 185, or 193 shall establish a per client rate for its services and shall charge all purchasers the same rate.

(1m) Notwithstanding sub. (1), the department, a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the department and one or more of those county departments, and a residential child care center for children and youth or group home, as described in sub. (1), may negotiate a per client rate for the services of that residential child care center for children and youth or group home, if the department, that county department, the county departments in that group of county departments, or the department and one or more of those county departments, agree to place 75% or more of the residents of that residential child care center for children and youth or group home during the period for which that rate is effective. A residential child care center for children and youth or group home that negotiates a per client rate under this subsection shall charge that rate to all purchasers of its services.
(2) A residential child care center for children and youth or a group home, as described in sub. (1) or (1m), shall submit to the department the rate it charges and any change in that rate before a charge is made to any purchaser. The department shall provide forms and instructions for the submission of rates and changes in rates under this subsection and a residential child care center for children and youth or a group home that is required to submit a rate or a change in a rate under this subsection shall submit that rate or change in a rate using those forms and instructions.

(3) The department may require an audit of any residential child care center for children and youth or group home, as described in sub. (1) or (1m), for the purpose of collecting federal funds.

SECTION 831. 46.043 (1) of the statutes is amended to read:

46.043 (1) In addition to inpatient and outpatient services provided at mental health institutes under ss. 51.05 and 51.07, the department may authorize mental health institutes to offer services other than inpatient mental health services when the department determines that community services need to be supplemented. Services that may be offered under this section include mental health outpatient treatment and services, day programming, consultation and services in residential facilities, including group homes, child caring institutions residential care centers for children and youth and community-based residential facilities.

SECTION 832. 46.057 (2) of the statutes is amended to read:

46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) $1,379,300 in each fiscal year 2005–06 and $1,379,300 in fiscal year 2006–07 and, from the appropriation account under s. 20.410 (3) (hm), the department of
corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) $2,271,200 $2,639,800 in fiscal year 2005–06 and $2,390,600 2007–08 and $2,707,300 in fiscal year 2006–07 2008–09 for services for juveniles placed at the Mendota juvenile treatment center. The department of health and family services may charge the department of corrections not more than the actual cost of providing those services.

SECTION 833. 46.10 (14) (b) of the statutes is amended to read:

46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the parent’s minor child who has been placed by a court order under s. 48.355 or 48.357 in a residential, nonmedical facility such as a group home, foster home, treatment foster home, subsidized guardianship home, or residential care center for children and youth shall be determined by the court by using the percentage standard established by the department of workforce development children and families under s. 49.22 (9) and by applying the percentage standard in the manner established by the department under s. 46.247 par. (g).

SECTION 834. 46.10 (14) (g) of the statutes is created to read:

46.10 (14) (g) For purposes of determining child support under par. (b), the department shall promulgate rules related to the application of the standard established by the department of children and families under s. 49.22 (9) to a child support obligation for the care and maintenance of a child who is placed by a court order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall take into account the needs of any person, including dependent children other than the child, whom either parent is legally obligated to support.

SECTION 835. 46.10 (16) of the statutes is amended to read:
46.10 (16) The department shall delegate to county departments under ss. 51.42 and 51.437 or the local providers of care and services meeting the standards established by the department under s. 46.036, the responsibilities vested in the department under this section for collection of patient fees for services other than those provided at state facilities or those provided to children that are reimbursed under a waiver under s. 46.27 (11), 46.275, 46.278, or 46.2785, or a waiver requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c), those provided under the disabled children's long-term support program if the county departments or providers meet the conditions that the department determines are appropriate. The department may delegate to county departments under ss. 51.42 and 51.437 the responsibilities vested in the department under this section for collection of patient fees for services provided at the state facilities if the necessary conditions are met.

SECTION 836. 46.16 (1) of the statutes is amended to read:

46.16 (1) GENERALLY. The department shall investigate and supervise all the charitable and curative institutions, including county infirmaries, of every county and municipality, except tuberculosis sanatoriums, all shelter care facilities for children and, and all hospitals, asylums, and institutions, organized for the purpose set forth in s. 58.01, and familiarize itself with all the circumstances affecting their management and usefulness.

SECTION 837. 46.16 (2) of the statutes is repealed.

SECTION 838. 46.16 (2m) of the statutes is repealed.

SECTION 839. 46.16 (2s) of the statutes is repealed.

SECTION 840. 46.16 (3) of the statutes is amended to read:
46.16 (3) COUNTY HOMES, POOR RELIEF. The department shall visit the county homes and ascertain the number of each sex and the number of mentally ill, mentally deficient, deaf, or blind persons, and children supported in each, at what cost and under what circumstances affecting their health, comfort, morals, and education; collect statistics of the cost of support, and other important facts, of the poor relieved at public expense outside of county homes; and collect information as to the adequacy and efficiency of existing laws for the support and relief of the poor, and the causes of pauperism in the state.

SECTION 841. 46.16 (7) of the statutes is amended to read:

46.16 (7) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon request of the department, the attorney general or the district attorney of the proper county shall aid in any investigation, inspection, hearing, or trial had under the provisions of this chapter, or those sections of ch. 48 relating to powers of the department, and shall institute and prosecute all necessary actions or proceedings for the enforcement of those provisions and for the punishment of violations of those provisions. The attorney general or district attorney so requested shall report or confer with the department regarding the request, within 30 days after the receipt of the request.

SECTION 842. 46.17 (1) of the statutes is amended to read:

46.17 (1) The department shall fix reasonable standards and regulations for the design, construction, repair, and maintenance of county homes, county infirmaries, county hospitals, and mental health facilities and shelter care facilities, with respect to their adequacy and fitness for the needs which they are to serve.

SECTION 843. 46.206 (1) (a) of the statutes is amended to read:
46.206 (1) (a) The department shall supervise the administration of social services, except as provided under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related services. The department shall submit to the federal authorities state plans for the administration of social services, except as provided under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related services, in such form and containing such information as the federal authorities require, and shall comply with all requirements prescribed to ensure their correctness.

SECTION 844. 46.206 (1) (bm) of the statutes is amended to read:

46.206 (1) (bm) All records of the department relating to aid provided under s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are open to inspection at reasonable hours by members of the legislature who require the information contained in the records in pursuit of a specific state legislative purpose. All records of any county relating to aid provided under s. 49.46, 49.465, 49.468, 49.47, 49.471, or 49.77 are open to inspection at reasonable hours by members of the board of supervisors of the county or the governing body of a city, village or town located in the county who require the information contained in the records in pursuit of a specific county or municipal legislative purpose. The right to records access provided by this paragraph does not apply if access is prohibited by federal law or regulation or if this state is required to prohibit such access as a condition precedent to participation in a federal program in which this state participates.

SECTION 845. 46.206 (2) of the statutes is amended to read:

46.206 (2) The county administration of all laws relating to social services,
juvenile delinquency-related programs, shall be vested in the officers and agencies
designated in the statutes.

**SECTION 846.** 46.21 (2m) (c) of the statutes is amended to read:

> 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
> (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7) and 253.07
> (3) (c), a subunit of a county department of human services or tribal agency acting
> under this subsection may exchange confidential information about a client, without
> the informed consent of the client, with any other subunit of the same county
department of human services or tribal agency, with a resource center, a care
management organization, or a *family long-term* care district, with an
elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral
for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person
providing services to the client under a purchase of services contract with the county
department of human services or tribal agency or with a resource center, a care
management organization, or a *family long-term* care district, if necessary to enable
an employee or service provider to perform his or her duties, or to enable the county
department of human services or tribal agency to coordinate the delivery of services
to the client. An agency that releases information under this paragraph shall
document that a request for information was received and what information was
provided.

**SECTION 847.** 46.21 (5) (b) of the statutes is amended to read:

> 46.21 (5) (b) Sections 46.10, 49.08, [49.345], 49.90, and 301.12 govern the
support and maintenance of persons in any of the institutions specified in sub. (2) (a).

**SECTION 848.** 46.215 (1) (d) of the statutes is amended to read:
46.215 (1) (d) To make investigations that relate to services under subchs. II, IV, and V of ch. 49 upon request by the department of health and family services, to make investigations that relate to juvenile delinquency-related services at the request of the department of corrections, and to make investigations that relate to programs under ch. 48 and subch. III of ch. 49 upon request by the department of workforce development children and families.

SECTION 849. 46.215 (1) (j) of the statutes is amended to read:

46.215 (1) (j) To make payments in such manner as the department of workforce development children and families may determine for training of recipients, former recipients, and potential recipients of aid in programs established under s. 49.193, 1997 stats., and s. 49.26 (1).

SECTION 850. 46.215 (1m) of the statutes is amended to read:

46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social services or tribal agency acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of social services or tribal agency, with a resource center, a care management organization, or a family long-term care district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client under a purchase of services contract with the county department of social services or tribal agency or with a resource center, a care management organization, or a family long-term care district, if necessary to enable an employee or service provider to perform his or her
duties, or to enable the county department of social services or tribal agency to
coordinate the delivery of services to the client. An agency that releases information
under this subsection shall document that a request for information was received
and what information was provided.

SECTION 851. 46.215 (1p) of the statutes is amended to read:

46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE
INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78
(2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (e), 55.22 (3), 146.82,
252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) and (2) (a), 938.396 (1) and (2), and 938.78
(2) (a), a county department under this section may enter the content of any record
kept or information received by that county department into the statewide
automated child welfare information system established under s. 46.03 48.47 (7g).

SECTION 852. 46.215 (2) (a) 2. of the statutes is amended to read:

46.215 (2) (a) 2. In order to ensure the availability of a full range of care and
services, the county department of social services may contract, either directly or
through the department of workforce development children and families, with public
or voluntary agencies or others to purchase, in full or in part, care and services under
ch. 48 and subch. III of ch. 49 which the county department of social services is
authorized to furnish. This care and these services may be purchased from the
department of workforce development children and families if the department of
workforce development children and families has staff to furnish the services. If the
county department of social services has adequate staff, it may sell the care and
services directly to another county or state agency.

SECTION 853. 46.215 (2) (b) of the statutes is amended to read:
SECTION 853. 46.215 (2) (b) A county department of social services may purchase development and training services from the department of health and family services, from the department of workforce development children and families, from the department of corrections or from other county agencies when the services are available. A county department of social services may sell the development and staff training services to another county or state agency if the county department has adequate staff to provide the services.

SECTION 854. 46.215 (2) (c) 2. of the statutes is amended to read:

46.215 (2) (c) 2. A county department of social services shall develop, under the requirements of s. 49.34, plans and contracts for care and services to be purchased under ch. 48 and subch. III of ch. 49. The department of workforce development children and families may review the contracts and approve them if they are consistent with s. 49.34 and if state or federal funds are available for such purposes. The joint committee on finance may require the department of workforce development children and families to submit the contracts to the committee for review and approval. The department of workforce development children and families may not make any payments to a county for programs included in a contract under review by the committee.

SECTION 856. 46.215 (3) of the statutes is amended to read:

46.215 (3) PROGRAM BUDGETS. The county department of social services shall submit a final budget to the department of health and family services under s. 46.031 (1), to the department of corrections under s. 301.031 (1), and to the department of workforce development children and families under s. 49.325 (1), for authorized services.

SECTION 857. 46.22 (1) (b) 1. b. of the statutes is amended to read:
46.22 (1) (b) 1. b. To make investigations which relate to welfare services, except as provided under ch. 48 and subch. III of ch. 49, upon request by the department of health and family services.

**SECTION 858.** 46.22 (1) (b) 1. d. of the statutes is amended to read:

46.22 (1) (b) 1. d. To submit a final budget in accordance with s. 46.031 (1) for services authorized in this section, except for the administration of and cost of aid granted under ss. 49.02, 49.19 and 49.45 to 49.47 49.471.

**SECTION 859.** 46.22 (1) (b) 1. f. of the statutes is renumbered 46.22 (1) (b) 2. fm.

**SECTION 860.** 46.22 (1) (b) 2. (intro.) of the statutes is amended to read:

46.22 (1) (b) 2. (intro.) A county department of social services shall have the following functions, duties, and powers in accordance with the rules promulgated by the department of workforce development children and families and subject to the supervision of the department of workforce development children and families:

**SECTION 861.** 46.22 (1) (b) 2. c. of the statutes is amended to read:

46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch. III of ch. 49 upon request by the department of workforce development children and families.

**SECTION 862.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

46.22 (1) (b) 2. e. To make payments in such manner as the department of workforce development children and families may determine for training of recipients, former recipients and potential recipients of aid in programs established under ss. 49.193, 1997 stats., and s. 49.26 (1).

**SECTION 863.** 46.22 (1) (b) 2. g. of the statutes is amended to read:
46.22 (1) (b) 2. g. To make certification or referral of eligibles for state or federal
works or other assistance programs under ch. 48 and subch. III of ch. 49, eligibility
for which is based on need.

SECTION 864. 46.22 (1) (b) 3. (intro.) of the statutes is amended to read:

46.22 (1) (b) 3. (intro.) A county department of social services shall have the
following functions, duties, and powers in accordance with the rules promulgated
and standards established by the department of health and family services and
subject to the supervision of the department of workforce development children and
families:

SECTION 865. 46.22 (1) (b) 3. d. of the statutes is amended to read:

46.22 (1) (b) 3. d. To submit a final budget to the department of workforce
development children and families in accordance with s. 49.325 for services
authorized in this subdivision.

SECTION 866. 46.22 (1) (c) 8. f. of the statutes is amended to read:

46.22 (1) (c) 8. f. The county department of social services shall implement the
statewide automated child welfare information system established by the
department under s. 46.03 48.47 (7g).

SECTION 867. 46.22 (1) (d) of the statutes is amended to read:

46.22 (1) (d) Merit system; records. The county department of social services
is subject to s. 49.78 (4) to (7). The county department of social services and all county
officers and employees performing any duties in connection with the administration
of aid to families with dependent children shall observe all rules promulgated by the
department of workforce development children and families under s. 49.78 (4) and
shall keep records and furnish reports as the department of workforce development
children and families requires in relation to their performance of such duties.
SECTION 868. 46.22 (1) (dm) of the statutes is amended to read:

46.22 (1) (dm) Exchange of information; long-term care. Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of social services or tribal agency acting under this subsection may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of social services or tribal agency, with a resource center, a care management organization, or a family long-term care district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client under a purchase of services contract with the county department of social services or tribal agency or with a resource center, a care management organization, or a family long-term care district, if necessary to enable an employee or service provider to perform his or her duties, or to enable the county department of social services or tribal agency to coordinate the delivery of services to the client. An agency that releases information under this paragraph shall document that a request for information was received and what information was provided.

SECTION 869. 46.22 (1) (dp) of the statutes is amended to read:

46.22 (1) (dp) Exchange of information; statewide automated child welfare information system. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (e) 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) and (2) (a) 938.396 (1) and (2), and 938.78 (2) (a), a county department under this section may enter the content of any record
kept or information received by that county department into the statewide automated child welfare information system established under s. 46.03 48.47 (7g).

**SECTION 870.** 46.22 (1) (e) 1. of the statutes is amended to read:

46.22 (1) (e) 1. In order to ensure the availability of a full range of care and services, a county department of social services may contract, either directly or through the department of health and family services, the department of workforce development children and families, or the department of corrections, with public or voluntary agencies or others to purchase, in full or in part, care and services which the county department of social services is authorized by any statute to furnish in any manner. The services may be purchased from the department of health and family services, the department of workforce development children and families, or the department of corrections if the department of health and family services, the department of workforce development children and families, or the department of corrections has staff to furnish the services. The county department of social services, if it has adequate staff, may sell the care and services directly to another county or state agency.

**SECTION 871.** 46.22 (1) (e) 2. of the statutes is amended to read:

46.22 (1) (e) 2. A county department of social services may purchase development and training services from the department of health and family services, the department of workforce development children and families, or the department of corrections or from other county agencies if the services are available or sell the development and staff training services to another county or state agency if the county department of social services has adequate staff to provide the services.

**SECTION 872.** 46.22 (1) (e) 3. a. of the statutes is amended to read:
46.22 (1) (e) 3. a. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for care and services, except under ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of health and family services may review the contracts and approve them if they are consistent with s. 46.036 and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department of health and family services to submit the contracts to the committee for review and approval. The department of health and family services may not make any payments to a county for programs included in the contract that is under review by the committee. The department of health and family services shall reimburse each county for the contracts from the appropriations under s. 20.435 (7) (b) and (o) according to s. 46.495.

Section 873. 46.22 (1) (e) 3. b. of the statutes is amended to read:

46.22 (1) (e) 3. b. A county department of social services shall develop, under the requirements of s. 49.34, plans and contracts for care and services under ch. 48 and subch. III of ch. 49 to be purchased. The department of workforce development children and families may review the contracts and approve them if they are consistent with s. 49.34 and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department of workforce development children and families to submit the contracts to the committee for review and approval. The department of workforce development children and families may not make any payments to a county for programs included in the contract that is under review by the committee.

Section 875. 46.22 (2g) (d) of the statutes is amended to read:
46.22 (2g) (d) Prepare, with the assistance of the county social services director under sub. (3m) (b) 5., a proposed budget for submission to the county executive or county administrator, a final budget for submission to the department of health and family services in accordance with s. 46.031 (1) for authorized services, except services under ch. 48, subch. III of ch. 49, or s. 301.08 (2), a final budget for submission to the department of workforce development children and families in accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch. 49, and a final budget for submission to the department of corrections in accordance with s. 301.031 (1) for authorized juvenile delinquency-related services.

SECTION 876. 46.22 (3m) (b) 12. of the statutes is amended to read:

46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the department of health and family services, by the department of workforce development children and families, or by the department of corrections.

SECTION 877. 46.22 (3m) (b) 17. b. of the statutes is amended to read:

46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of health and family services, the secretary of workforce development children and families, the secretary of corrections, and the county board of supervisors.

SECTION 878. 46.23 (3) (a) of the statutes is amended to read:

46.23 (3) (a) Creation. Upon approval by the secretary of health and family services, by the secretary of corrections, and by the secretary of workforce development children and families of a feasibility study and a program implementation plan, the county board of supervisors of any county with a population of less than 500,000, or the county boards of supervisors of 2 or more contiguous counties, each of which has a population of less than 500,000, may establish by resolution a county department of human services on a single-county
or multicounty basis to provide the services required under this section. The county
department of human services shall consist of the county human services board, the
county human services director and necessary personnel.

**SECTION 878.** 46.23 (3) (am) 4. of the statutes is amended to read:

46.23 (3) (am) 4. No funds may be allocated to any multicounty department of
human services until the counties have drawn up a detailed contractual agreement,
approved by the secretary of health and family services, by the secretary of
corrections, and by the secretary of workforce development children and families,
setting forth the plan for joint sponsorship.

**SECTION 880.** 46.23 (3) (e) of the statutes is amended to read:

46.23 (3) (e) Exchange of information; long-term care. Notwithstanding ss.
46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a subunit of a county department of
human services or tribal agency acting under this section may exchange confidential
information about a client, without the informed consent of the client, with any other
subunit of the same county department of human services or tribal agency, with a
resource center, a care management organization, or a family long-term care
district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
1g., or with a person providing services to the client under a purchase of services
contract with the county department of human services or tribal agency or with a
resource center, a care management organization, or a family long-term care
district, if necessary to enable an employee or service provider to perform his or her
duties, or to enable the county department of human services or tribal agency to
coordinate the delivery of services to the client. An agency that releases information
under this paragraph shall document that a request for information was received
and what information was provided.

SECTION 881. 46.23 (3) (ed) of the statutes is amended to read:

46.23 (3) (ed) Exchange of information; statewide automated child welfare
information system. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
(a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 55.22 (3), 146.82,
252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) and (2) (a) 938.396 (1) and (2), and 938.78
(2) (a), a county department under this section may enter the content of any record
kept or information received by that county department into the statewide
automated child welfare information system established under s. 46.03 48.47 (7g).

SECTION 882. 46.23 (5) (a) 1. of the statutes is amended to read:

46.23 (5) (a) 1. Shall determine administrative and program policies, except as
provided under ch. 48 and subch. III of ch. 49 and except for juvenile
delinquency-related policies, within limits established by the department of health
and family services. Policy decisions, except as provided under ch. 48 and subch. III
of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute
for the department of health and family services may be delegated by the secretary
to the county human services board.

SECTION 883. 46.23 (5) (a) 2. of the statutes is amended to read:

46.23 (5) (a) 2. Shall determine administrative and program policies under ch.
48 and subch. III of ch. 49 within limits established by the department of workforce
development children and families. Policy decisions under ch. 48 and subch. III of
ch. 49 not reserved by statute for the department of workforce development children
and families may be delegated by the secretary of workforce development children
and families to the county human services board.
SECTION 884. 46.23 (5) (b) of the statutes is amended to read:

46.23 (5) (b) Shall establish priorities in addition to those mandated by the department of health and family services, the department of corrections, or the department of workforce development children and families.

SECTION 885. 46.23 (5) (c) 1. of the statutes is amended to read:

46.23 (5) (c) 1. Shall determine whether state mandated services, except for services under ch. 48 and subch. III of ch. 49 and juvenile delinquency−related services, are provided or purchased or contracted for with local providers, and monitor the performance of such contracts. Purchase of services contracts shall be subject to the conditions specified in s. 46.036.

SECTION 886. 46.23 (5) (c) 2. of the statutes is amended to read:

46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48 and subch. III of ch. 49 are provided or purchased or contracted for with local providers, and monitor the performance of such contracts. Purchase of services contracts shall be subject to the conditions specified in s. 49.34.

SECTION 887. 46.23 (5) (n) 1. of the statutes is amended to read:

46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for authorized services, except for services under ch. 48 and subch. III of ch. 49 and juvenile delinquency−related services. Notwithstanding the categorization of or limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval of the department of health and family services the county human services board may expend these funds consistent with any service provided under s. 46.495 or 51.42.

SECTION 888. 46.23 (5) (n) 2. of the statutes is amended to read:
46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the categorization of or limits specified for funds allocated under s. 48.569, with the approval of the department of children and families the county human services board may expend these funds consistent with any service provided under s. 48.569.

SECTION 889. 46.23 (5m) (c) of the statutes is amended to read:
46.23 (5m) (c) Prepare, with the assistance of the county human services director under sub. (6m) (e), a proposed budget for submission to the county executive or county administrator, a final budget for submission to the department of health and family services in accordance with s. 46.031 (1) for authorized services, except services under ch. 48 and subch. III of ch. 49 and juvenile delinquency–related services, a final budget for submission to the department of workforce development children and families in accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch. 49, and a final budget for submission to the department of corrections in accordance with s. 301.031 for authorized juvenile delinquency–related services.

SECTION 890. 46.23 (6) (a) (intro.) of the statutes is amended to read:
46.23 (6) (a) (intro.) A county human services director appointed under sub. (5) (f) shall have all of the administrative and executive powers and duties of managing, operating, maintaining, and improving the programs of the county department of human services, subject to the rules promulgated by the department of health and family services for programs, except services or programs under ch. 48 and subch. III of ch. 49 and juvenile delinquency–related services or programs, subject to the rules promulgated by the department of workforce development children and families for services or programs under ch. 48 and subch. III of ch. 49, and subject
to the rules promulgated by the department of corrections for juvenile delinquency-related services or programs. In consultation with the county human services board under sub. (5) and subject to its approval, the county human services director shall prepare:

**SECTION 890.** 46.23 (6) (a) 3. of the statutes is amended to read:

46.23 (6) (a) 3. Such other reports as are required by the secretary of health and family services, by the secretary of corrections, or by the secretary of workforce development and the county board of supervisors in a county with a single-county department of human services or the county boards of supervisors in counties with a multicounty department of human services.

**SECTION 891.** 46.24 of the statutes is renumbered 48.375 (9) and amended to read:

48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION. If a minor who is contemplating an abortion requests assistance from a county department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor’s parent, guardian, or legal custodian, or in seeking the consent of an adult family member, as defined in s. 48.375 (2) (b), for the contemplated abortion or in seeking a waiver from the circuit court, the county department shall provide assistance, including, if so requested, accompanying the minor as appropriate.

**SECTION 893.** 46.247 of the statutes is renumbered 49.345 (14) (g) and amended to read:

49.345 (14) (g) Application of child support standard for certain children. For purposes of determining child support under s. 46.10 (14) par. (b), the department shall promulgate rules related to the application of the standard established by the department of workforce development under s. 49.22 (9) to a child support obligation.
for the care and maintenance of a child who is placed by a court order under s. 48.355
or 48.357 in a residential, nonmedical facility. The rules shall take into account the
needs of any person, including dependent children other than the child, whom either
parent is legally obligated to support.

**SECTION 893.** 46.261 (title) of the statutes is renumbered 48.645 (title).

**SECTION 894.** 46.261 (1) of the statutes is renumbered 48.645 (1).

**SECTION 895.** 46.261 (2) (title) of the statutes is renumbered 48.645 (2) (title).

**SECTION 896.** 46.261 (2) (a) (intro.) of the statutes is renumbered 48.645 (2) (a)
(intro.).

**SECTION 897.** 46.261 (2) (a) 1. of the statutes is renumbered 48.645 (2) (a) 1. and
amended to read:

48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster
home or treatment foster home having a license under s. 48.62, in a foster home or
treatment foster home located within the boundaries of a federally recognized
American Indian reservation in this state and licensed by the tribal governing body
of the reservation or in a group home licensed under s. 48.625, a subsidized guardian
or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor
custodial parent who cares for the dependent child, regardless of the cause or
prospective period of dependency. The state shall reimburse counties pursuant to the
procedure under s. 46.495 48.569 (2) and the percentage rate of participation set
forth in s. 46.495 48.569 (1) (d) for aid granted under this section except that if the
child does not have legal settlement in the granting county, state reimbursement
shall be at 100%. The county department under s. 46.215 or 46.22, or 46.23 or the
department under s. 48.48 (17) shall determine the legal settlement of the child. A
child under one year of age shall be eligible for aid under this subsection irrespective of any other residence requirement for eligibility within this section.

**Section 899.** 46.261 (2) (a) 2. of the statutes is renumbered 48.645 (2) (a) 2. and amended to read:

48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more, the department, on behalf of a child in the legal custody of a county department under s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child who was removed from the home of a relative, as defined under s. 48.02 (15), as a result of a judicial determination that continuance in the home of a relative would be contrary to the child’s welfare for any reason when such the child is placed in a licensed child caring institution residential care center for children and youth by the county department or the department. Reimbursement shall be made by the state pursuant to as provided in subd. 1.

**Section 900.** 46.261 (2) (a) 3. of the statutes is renumbered 48.645 (2) (a) 3. and amended to read:

48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more, the department, when the child is placed in a licensed foster home, treatment foster home, group home, or residential care center for children and youth or in a subsidized guardianship home by a licensed child welfare agency or by a federally recognized American Indian tribal governing body in this state or by its designee, if the child is in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or if the child was removed from the home of a relative, as defined under s. 48.02 (15), as a result of a judicial determination that continuance in the home of the relative would be contrary to the child’s welfare for
any reason and the placement is made pursuant to an agreement with the county department or the department.

SECTION 901. 46.261 (2) (a) 4. of the statutes is renumbered 48.645 (2) (a) 4. and amended to read:

48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home, or residential care center for children and youth or a subsidized guardianship home when the child is in the custody or guardianship of the state, when the child is a ward of an American Indian tribal court in this state and the placement is made under an agreement between the department and the tribal governing body, or when the child was part of the state’s direct service case load and was removed from the home of a relative, as defined under s. 48.02 (15), as a result of a judicial determination that continuance in the home of a relative would be contrary to the child’s welfare for any reason and the child is placed by the department.

SECTION 902. 46.261 (2) (b) of the statutes is renumbered 48.645 (2) (b).

SECTION 903. 46.261 (3) of the statutes is renumbered 48.645 (3).

SECTION 904. 46.27 (4) (am) of the statutes is amended to read:

46.27 (4) (am) If a local long-term care council in a county the governing board of a resource center assumes under s. 46.282 (3) (b) 46.283 (6) (b) 10. the duties of the county long-term support planning committee under this subsection, the county long-term support planning committee for the county is dissolved.

SECTION 905. 46.27 (4) (c) (intro.) of the statutes is amended to read:

46.27 (4) (c) (intro.) The planning committee shall develop, or, if a local long-term care council the governing board of a resource center has under s. 46.282 (3) (b) 46.283 (6) (b) 10. assumed the duties of the planning committee, the local
long-term care council governing board of the resource center shall recommend a
community options plan for participation in the program. The plan shall include:

SECTION 905. 46.27 (4) (c) 5. of the statutes is amended to read:

46.27 (4) (c) 5. A description of the method to be used by the committee or, if
a local long-term care council the governing board of a resource center has under
s. 46.282 (3) (b) 46.283 (6) (b) 10, assumed the duties of the planning committee, the
local long-term care council governing board of the resource center to monitor the
implementation of the program.

SECTION 906. 46.27 (4) (c) 8. of the statutes is amended to read:

46.27 (4) (c) 8. If a contract with an entity under s. 46.281 (1) (e) 1. 46.284 (2)
is established in the county, a description of how the activities of the entity relate to
and are coordinated with the county’s proposed program.

SECTION 908. 46.27 (5) (am) of the statutes is amended to read:

46.27 (5) (am) Organize assessment activities specified in sub. (6). The county
department or aging unit shall utilize persons for each assessment who can
determine the needs of the person being assessed and who know the availability
within the county of services alternative to placement in a nursing home. If any
hospital patient is referred to a nursing home for admission, these persons shall work
with the hospital discharge planner in performing the activities specified in sub. (6).
The county department or aging unit shall coordinate the involvement of
representatives from the county departments under ss. 46.215, 46.22, 51.42 and
51.437, health service providers and the county commission on aging in the
assessment activities specified in sub. (6), as well as the person being assessed and
members of the person’s family or the person’s guardian. This paragraph does not
apply to a county department or aging unit in a county in which the department has contracted with an entity under s. 46.281 (1) (e) 1. 46.284 (2).

SECTION 909. 46.27 (5) (j) of the statutes is created to read:

46.27 (5) (j) Within the time period specified by the department, offer counseling, that is specified by the department, concerning public and private benefit programs to prospective residents of community-based residential facilities who are referred to the county department or aging unit under s. 50.035 (4n).

SECTION 910. 46.27 (6) (a) 3. of the statutes is amended to read:

46.27 (6) (a) 3. In each participating county, except in counties in which the department has contracted with an entity under s. 46.281 (1) (e) 1. 46.284 (2), assessments shall be conducted for those persons and in accordance with the procedures described in the county’s community options plan. The county may elect to establish assessment priorities for persons in target groups identified by the county in its plan regarding gradual implementation. If a person who is already admitted to a nursing home requests an assessment and if funds allocated for assessments under sub. (7) (am) are available, the county shall conduct the assessment.

SECTION 911. 46.27 (6g) (intro.) of the statutes is amended to read:

46.27 (6g) FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and within the limitations under sub. (7) (b), the fiscal responsibility of a county for an assessment, unless the assessment is performed by an entity under a contract as specified under s. 46.281 (1) (e) 1. 46.284 (2), case plan, or services provided to a person under this section is as follows:

SECTION 912. 46.27 (6u) (c) 1. a. of the statutes is amended to read:
46.27 (6u) (c) 1. a. Eligible for medical assistance under s. 49.46, 49.468 or
49.47, or 49.471 (4) (a).

SECTION 913. 46.27 (6u) (d) (intro.) of the statutes is amended to read:

46.27 (6u) (d) (intro.) In determining financial eligibility under par. (c) 1. and
in calculating the amount under par. (c) 2., the county department or aging unit shall
include as the assets for any person, except those persons who are eligible for medical
assistance under s. 49.46, 49.468 or, 49.47, or 49.471 (4) (a), any portion of assets that
the person or the person’s spouse has, after August 12, 1993, transferred to another
as specified in par. (b), unless one of the following conditions applies:

SECTION 914. 46.27 (7) (am) of the statutes is amended to read:

46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department
shall allocate funds to each county or private nonprofit agency with which the
department contracts to pay assessment and case plan costs under sub. (6) not
otherwise paid by fee or under s. 49.45 or 49.78 (2). The department shall reimburse
counties for the cost of assessing persons eligible for medical assistance under s.
49.46, 49.468, or 49.47, or 49.471 (4) (a) as part of the administrative services of
medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds
allocated under this paragraph to pay the cost of long-term community support
services and for a risk reserve under par. (fr).

SECTION 915. 46.27 (7) (b) of the statutes is amended to read:

46.27 (7) (b) From the appropriations under s. 20.435 (7) (bd) and (im), the
department shall allocate funds to each county to pay the cost of providing long-term
community support services under sub. (5) (b) not otherwise paid under s. 49.45 to
persons eligible for medical assistance under s. 49.46 or, 49.47, or 49.471 (4) (a) or
to persons whom the county department or aging unit administering the program
finds likely to become medically indigent within 6 months by spending excess income
or assets for medical or remedial care. The average per person reimbursement under
this paragraph may not exceed the state share of the average per person payment
rate the department expects under s. 49.45 (6m). The county department or aging
unit administering the program may spend funds received under this paragraph
only in accordance with the case plan and service contract created for each person
receiving long-term community support services. Counties may use unspent funds
allocated under this paragraph from the appropriation under s. 20.435 (7) (bd) for a
risk reserve under par. (fr).

SECTION 916. 46.27 (7) (cj) 3. a. of the statutes is repealed.

SECTION 917. 46.27 (7) (fr) 3. c. of the statutes is amended to read:
46.27 (7) (fr) 3. c. If approved by a resolution of the county board of supervisors,
to transfer funds to a family long-term care district.

SECTION 918. 46.27 (9) (a) of the statutes is amended to read:
46.27 (9) (a) The department may select up to 5 counties that volunteer to
participate in a pilot project under which they will receive certain funds allocated for
long-term care. The department shall allocate a level of funds to these counties
equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gp), or (w),
or (xd) to nursing homes for providing care because of increased utilization of nursing
home services, as estimated by the department. In estimating these levels, the
department shall exclude any increased utilization of services provided by state
centers for the developmentally disabled. The department shall calculate these
amounts on a calendar year basis under sub. (10).

SECTION 919. 46.27 (9) (c) of the statutes is amended to read:
46.27 (9) (c) All long-term community support services provided under this pilot project in lieu of nursing home care shall be consistent with those services described in the participating county’s community options plan under sub. (4) (c) 1. and provided under sub. (5) (b). Unless the department has contracted under s. 46.281 (1) (e) 1., 46.284 (2) with an entity other than the county department, each county participating in the pilot project shall assess persons under sub. (6).

Section 920. 46.27 (10) (a) 1. of the statutes is amended to read:

46.27 (10) (a) 1. The department shall determine for each county participating in the pilot project under sub. (9) a funding level of state medical assistance expenditures to be received by the county. This level shall equal the amount that the department determines would otherwise be paid under s. 20.435 (4) (b), (gp), or (w), or (xd), or because of increased utilization of nursing home services, as estimated by the department.

Section 921. 46.27 (11) (c) 5n. a. of the statutes is repealed.

Section 922. 46.275 (1m) (a) of the statutes is amended to read:

46.275 (1m) (a) “Medical assistance” means aid provided under subch. IV of ch. 49, except ss. 49.468 and 49.471.

Section 923. 46.275 (5) (a) of the statutes is amended to read:

46.275 (5) (a) Medical Assistance reimbursement for services a county, or the department under sub. (3r), provides under this program is available from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (w), and (xd). If 2 or more counties jointly contract to provide services under this program and the department approves the contract, Medical Assistance reimbursement is also available for services provided jointly by these counties.

Section 924. 46.275 (5) (c) of the statutes is amended to read:
46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gp), (o), and (w), and 
(xd) to counties and to the department under sub. (3r) for services provided under 
this section may not exceed the amount approved by the federal department of health 
and human services. A county may use funds received under this section only to 
provide services to persons who meet the requirements under sub. (4) and may not 
use unexpended funds received under this section to serve other developmentally 
disabled persons residing in the county.

SECTION 926. 46.277 (1m) (a) of the statutes is amended to read:

46.277 (1m) (a) “Medical assistance” means aid provided under subch. IV of ch. 
49, except s. ss. 49.468 and 49.471.

SECTION 927. 46.277 (3) (d) of the statutes is created to read:

46.277 (3) (d) The county department or aging unit that administers the 
program under this section shall, within the time period specified by the department, 
offer counseling, that is specified by the department, concerning public and private 
benefit programs to prospective residents of community-based residential facilities 
who are referred to the county department or aging unit under s. 50.035 (4n).

SECTION 928. 46.277 (5) (d) 1n. a. of the statutes is repealed.

SECTION 930. 46.278 (1m) (b) of the statutes is amended to read:

46.278 (1m) (b) “Medical assistance” means aid provided under subch. IV of ch. 
49, except s. ss. 49.468 and 49.471.

SECTION 931. 46.278 (6) (d) of the statutes is amended to read:

46.278 (6) (d) If a county makes available nonfederal funds equal to the state 
share of service costs under a waiver received under sub. (3), the department may, 
from the appropriation under s. 20.435 (4) (o), provide reimbursement for services 
that the county provides under this section to persons who are in addition to those
who may be served under this section with funds from the appropriation account under s. 20.435 (4) (b) or (w), or (xd).

**SECTION 932.** 46.2785 (5) (a) of the statutes is amended to read:

46.2785 (5) (a)  Medical assistance reimbursement for services a county or private agency contracts for or provides under the waiver program shall be made from the appropriation accounts under s. 20.435 (4) (b) and (o), and (xd).

**SECTION 933.** 46.28 (1) (f) of the statutes is amended to read:

46.28 (1) (f)  “Victim of domestic abuse” means an individual who has encountered domestic abuse, as defined in s. 46.95 49.165 (1) (a).

**SECTION 934.** 46.2803 (2) of the statutes is created to read:

46.2803 (2)  Notwithstanding s. 46.27 (7), a county in which a care management organization is operating pursuant to a contract under s. 46.284 (2) or a county in which a program described under s. 46.2805 (1) (a) or (b) is administered may use funds appropriated under 20.435 (7) (bd) and allocated to the county under s. 46.27 (7) to provide community mental health or substance abuse services and supports for persons with mental illness or persons in need of services or supports for substance abuse and to provide services under the Family Support Program under s. 46.985.

**SECTION 935.** 46.2804 (title) of the statutes is amended to read:

46.2804  (title)  Managed care programs for Client management of managed care long-term care services benefit.

**SECTION 936.** 46.2804 (1) of the statutes is repealed.

**SECTION 937.** 46.2804 (2) of the statutes is renumbered 46.2804.

**SECTION 938.** 46.2805 (5) of the statutes is renumbered 46.2805 (7r) and amended to read:
46.2805 (7r) “Family Long-term care district” means a special purpose district created under s. 46.2895 (1).

SECTION 939. 46.2805 (6) of the statutes is renumbered 46.2805 (7u) and amended to read:

46.2805 (7u) “Family Long-term care district board” means the governing board of a family long-term care district.

SECTION 940. 46.2805 (6m) of the statutes is created to read:

46.2805 (6m) “Family member” means a spouse or an individual related by blood, marriage, or adoption within the 3rd degree of kinship as computed under s. 990.001 (16).

SECTION 941. 46.2805 (6r) of the statutes is created to read:

46.2805 (6r) “Financial and cost-sharing screening” means a screening to determine financial eligibility under s. 46.286 (1) (b) and cost-sharing under s. 46.286 (2) using a uniform tool prescribed by the department.

SECTION 942. 46.2805 (6v) of the statutes is created to read:

46.2805 (6v) “Frail elder” means an individual who is 65 years of age or older and has a physical disability or irreversible dementia that restricts the individual’s ability to perform normal daily tasks or that threatens the capacity of the individual to live independently.

SECTION 943. 46.2805 (7) of the statutes is amended to read:

46.2805 (7) “Functional and financial screening” means a screen prescribed by the department that is used screening to determine functional eligibility under s. 46.286 (1) (a) and financial eligibility under s. 46.286 (1) (b) using a uniform tool prescribed by the department.

SECTION 944. 46.2805 (7m) of the statutes is repealed.
SECTION 944r. 46.281 (title) of the statutes is amended to read:

46.281 (title) Powers and duties of the department and the secretary, and counties; long-term care.

SECTION 945. 46.281 (1) (intro.) of the statutes is renumbered 46.281 (1n) (intro.), and 46.281 (1n) (title), as renumbered, is amended to read:

46.281 (1n) (title) Duties OTHER DUTIES OF THE DEPARTMENT.

SECTION 946. 46.281 (1) (c) of the statutes is renumbered 46.281 (1d) and amended to read:

46.281 (1d) WAIVER REQUEST. Request The department shall request from the secretary of the federal department of health and human services any waivers of federal medicaid laws necessary to permit the use of federal moneys to provide the family care benefit to recipients of medical assistance. The department shall implement any waiver that is approved and that is consistent with ss. 46.2805 to 46.2895. Regardless of whether a waiver is approved, the department may implement operation of resource centers, care management organizations, and the family care benefit.

SECTION 947m. 46.281 (1) (d) of the statutes is renumbered 46.281 (1g) (b) and amended to read:

46.281 (1g) (b) In geographic areas in which, in the aggregate, resides no more than 29 percent of the state population that is eligible for the family care benefit, contract with a county, a family care district, a tribe or band, the Great Lakes Inter-Tribal Council, Inc., or with 2 or more of these entities to manage all long-term care programs and administer the family care benefit as care management organizations. If the department proposes to contract with these entities to administer care management organizations the family care benefit in geographic
areas in which, in the aggregate, resides more than 29 percent but less than 50 percent of the state population that is eligible for the family care benefit, the department shall first notify the joint committee on finance in writing of the proposed contract. The notification shall include the contract proposal; and an estimate of the fiscal impact of the proposed addition that demonstrates that the addition will be cost neutral, including startup, transitional, and ongoing operational costs and any proposed county contribution. The notification shall also include, for each county affected by the proposal, documentation that the county consents to administration of the family care benefit in the county, the amount of the county’s payment or reduction in community aids under s. 46.281 (4), and a proposal by the county for using any savings in county expenditures on long-term care that result from administration of the family care benefit in the county. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department’s notification that the committee has scheduled a meeting for the purpose of reviewing the proposed contract, the department may enter into the proposed contract. If within 14 working days after the date of the department’s notification the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed contract, the department may enter into the proposed contract only upon approval of if the committee. The department may contract with these entities to administer care management organizations in geographic areas in which, in the aggregate, resides 50 percent or more of the state population that is eligible for the family care benefit only if specifically authorized by the legislature and if the legislature appropriates necessary funding approves the proposed contract or if the
committee fails to act on the proposed contract within 59 working days after the date
of the department’s notification.

SECTION 948. 46.281 (1) (e) of the statutes is repealed.

SECTION 949. 46.281 (1) (f) of the statutes is renumbered 46.281 (1n) (a).

SECTION 950. 46.281 (1) (g) of the statutes is renumbered 46.281 (1n) (b).

SECTION 951. 46.281 (1) (h) of the statutes is renumbered 46.281 (1n) (c).

SECTION 952. 46.281 (1) (i) of the statutes is repealed.

SECTION 952m. 46.281 (1g) (title) of the statutes is created to read:

46.281 (1g) (title) CONTRACTING FOR RESOURCE CENTERS AND CARE MANAGEMENT
ORGANIZATIONS.

SECTION 953. 46.281 (1g) (a) of the statutes is created to read:

46.281 (1g) (a) Subject to par. (b), the department may contract with entities
as provided under s. 46.283 (2) to provide the services under s. 46.283 (3) and (4) as
resource centers in any geographic area in the state, and may contract with entities
as provided under s. 46.284 (2) to administer the family care benefit as care
management organizations in any geographic area in the state.

SECTION 954. 46.281 (1n) (d) of the statutes is created to read:

46.281 (1n) (d) 1. Establish regions for long−term care advisory committees
under s. 46.2825, periodically review the boundaries of the regions, and, as
appropriate, revise the boundaries.

2. Specify the number of members that each governing board of a resource
center shall appoint to a regional long−term care advisory committee. The total
number of committee members shall not exceed 25, and the department shall allot
committee membership equally among the governing boards of resource centers
operating within the boundaries of the regional long−term care advisory committee.
3. Provide information and staff assistance to assist regional long-term care advisory committees in performing the duties under s. 46.2825 (2).

**SECTION 954m.** 46.281 (1n) (e) of the statutes is created to read:

46.281 (1n) (e) Contract with a person to provide the advocacy services described under s. 16.009 (2) (p) 1. to 5. to actual or potential recipients of the family care benefit who are under age 60 or to their families or guardians. The department may not contract under this paragraph with a county or with a person who has a contract with the department to provide services under s. 46.283 (3) and (4) as a resource center or to administer the family care benefit as a care management organization. The contract under this paragraph shall include as a goal that the provider of advocacy services provide one advocate for every 2,500 individuals under age 60 who receive the family care benefit. The department shall allocate $190,000 for the contract under this paragraph in fiscal year 2007–08 and $525,000 in each subsequent fiscal year.

**SECTION 954mb.** 46.281 (1n) (f) of the statutes is created to read:

46.281 (1n) (f) From the appropriation under s. 20.435 (7) (b), provide $75,000 annually to Grant County to provide, with respect to issues concerning family care benefits, liaison services between the county and a managed care organization and advocacy services on behalf of the county.

**SECTION 955.** 46.281 (2) (title) of the statutes is amended to read:

46.281 (2) (title) **POWERS OTHER POWERS OF THE DEPARTMENT.**

**SECTION 956.** 46.281 (3) of the statutes is amended to read:

46.281 (3) **DUTY OF THE SECRETARY.** The secretary shall certify to each county, hospital, nursing home, community-based residential facility, adult family home and residential care apartment complex the date on which a resource center that
serves the area of the county, hospital, nursing home, community-based residential
facility, adult family home or residential care apartment complex is first available
to provide a perform functional screenings and financial screen and cost-sharing
screenings. To facilitate phase-in of services of resource centers, the secretary may
certify that the resource center is available for specified groups of eligible individuals
or for specified facilities in the county.

**SECTION 956g.** 46.281 (4) of the statutes is created to read:

46.281 (4) COUNTY CONTRIBUTION. (a) In this subsection, “base amount” means
the amount that a county expended in calendar year 2006, as determined by the
department, to provide long-term care services to individuals who would have been
eligible for the family care benefit in calendar year 2006 if the family care benefit had
been available to residents of the county.

(b) Except as provided in par. (c), each county in which the department has a
contract with an entity to administer the family care benefit shall in each year of the
contract either pay the department the following amount or agree to reduce the
community aids distribution to the county under s. 46.40 (2) by the following amount:

1. If the base amount for the county is less than or equal to 22 percent of the
calendar year 2006 community aids distribution to the county under s. 46.40 (2), the
base amount.

2. If the base amount for the county is greater than 22 percent of the calendar
year 2006 community aids distribution to the county under s. 46.40 (2), the following
amounts in the following years:

a. For the first year that the department contracts for administration of the
family care benefit in the county, the base amount for the county.
b. For the 2nd, 3rd, and 4th years that the department contracts for administration of the family care benefit in the county, the amount from the previous year minus 25 percent of the difference between the base amount for the county and 22 percent of the calendar year 2006 community aids distribution to the county under s. 46.40 (2).

c. For the 5th year and each subsequent year that the department contracts for administration of the family care benefit in the county, 22 percent of the calendar year 2006 community aids distribution to the county under s. 46.40 (2).

(c) Each county in which the department has a contract with an entity to administer the family care benefit, and in which the department had such a contract before January 1, 2006, shall annually either pay the department or agree to reduce the community aids distribution to the county under s. 46.40 (2) by the amount that the county paid the department, or by which the county’s community aids distribution was reduced, in calendar year 2006 to fund the program under ss. 46.2805 to 46.2895.

d) The department shall deposit payments made by counties under this subsection in the appropriation account under s. 20.435 (7) (g).

SECTION 957. 46.282 (title) of the statutes is repealed.

SECTION 958. 46.282 (2) of the statutes is repealed.

SECTION 959. 46.282 (3) (title) of the statutes is repealed.

SECTION 960. 46.282 (3) (a) (intro.) of the statutes is repealed.

SECTION 961. 46.282 (3) (a) 1. of the statutes is repealed.

SECTION 962. 46.282 (3) (a) 2. of the statutes is repealed.

SECTION 963. 46.282 (3) (a) 3. of the statutes is repealed.

SECTION 964. 46.282 (3) (a) 4. of the statutes is repealed.
SECTION 965. 46.282 (3) (a) 5. of the statutes is repealed.

SECTION 966. 46.282 (3) (a) 6. of the statutes is repealed.

SECTION 967. 46.282 (3) (a) 7. of the statutes is repealed.

SECTION 968. 46.282 (3) (a) 8. of the statutes is renumbered 46.2825 (2) (e) and amended to read:

46.2825 (2) (e) Monitor the pattern of enrollments and disenrollments in local care management organizations that provide services in the committee’s region.

SECTION 969. 46.282 (3) (a) 9. of the statutes is renumbered 46.283 (6) (b) 3. and amended to read:

46.283 (6) (b) 3. Identify any gaps in services, living arrangements, and community resources and develop strategies to build local capacity to serve older persons and persons with physical or developmental disabilities needed by individuals belonging to the client groups served by the resource center, especially those with long-term care needs.

SECTION 970. 46.282 (3) (a) 10. of the statutes is renumbered 46.2825 (2) (g) and amended to read:

46.2825 (2) (g) Perform long-range planning on long-term care policy for older persons and persons with physical or developmental disabilities individuals belonging to the client groups served by the resource center.

SECTION 971. 46.282 (3) (a) 11. of the statutes is renumbered 46.283 (6) (b) 8. and amended to read:

46.283 (6) (b) 8. Annually review interagency agreements between the resource center and care management organization or organizations that provide services in the area served by the resource center and make recommendations, as appropriate, on the interaction between the resource center and the care
management organization or organizations to assure coordination between or among them and to assure access to and timeliness in provision of services by the resource center and the care management organizations.

SECTION 972. 46.282 (3) (a) 12. of the statutes is renumbered 46.283 (6) (b) 9. and amended to read:

46.283 (6) (b) 9. Annually review the number and types of complaints and grievances about and appeals concerning the long-term care system by persons who receive or may receive care under the system in the area served by the resource center, to determine if a need exists for system changes, and recommend system or other changes if appropriate.

SECTION 973. 46.282 (3) (a) 13. of the statutes is renumbered 46.283 (6) (b) 6. and amended to read:

46.283 (6) (b) 6. Identify potential new sources of community resources and funding for needed services for older persons and persons with physical or developmental disabilities individuals belonging to the client groups served by the resource center.

SECTION 974. 46.282 (3) (a) 14. of the statutes is repealed.

SECTION 975. 46.282 (3) (a) 15. of the statutes is repealed.

SECTION 976. 46.282 (3) (b) of the statutes is renumbered 46.283 (6) (b) 10. and amended to read:

46.283 (6) (b) 10. A local long-term care council may, within the local long-term care council's area If directed to do so by the county board, assume the duties of the county long-term community support planning committee as specified under s. 46.27 (4) for a county served by the resource center.

SECTION 977. 46.2825 of the statutes is created to read:
46.2825 Regional long-term care advisory committees. (1) Creation. The governing board of each resource center operating in a region established by the department under s. 46.281 (1n) (d) 1. shall appoint the number of its members that is specified by the department under s. 46.281 (1n) (d) 2. to a regional long-term care advisory committee. At least 50 percent of the persons a resource center board appoints to a regional long-term care advisory committee shall be older persons or persons with a physical or developmental disability or their family members, guardians, or other advocates.

(2) Duties. A regional long-term care advisory committee shall do all of the following:

(a) Evaluate the performance of care management organizations and entities that operate a program described under s. 46.2805 (1) (a) or (b) in the committee’s region with respect to responsiveness to recipients of their services, fostering choices for recipients, and other issues affecting recipients; and make recommendations based on the evaluation to the department and to the care management organizations and entities, as appropriate.

(b) Evaluate the performance of resource centers operating in the committee’s region and, as appropriate, make recommendations, concerning their performance to the department and the resource centers.

(c) Monitor grievances and appeals made to care management organizations or entities that operate a program described under s. 46.2805 (1) (a) or (b) within the committee’s region.

(d) Review utilization of long-term care services in the committee’s region.

(f) Using information gathered under s. 46.283 (6) (b) 2. by governing boards of resources centers operating in the committee’s region and other available
information, identify any gaps in the availability of services, living arrangements, and community resources needed by older persons and persons with physical or developmental disabilities, and develop strategies to build capacity to provide those services, living arrangements, and community resources in the committee's region.

(h) Annually report to the department regarding significant achievements and problems relating to the provision of long-term care services in the committee's region.

SECTION 978. 46.283 (1) (a) 2. of the statutes is amended to read:

46.283 (1) (a) 2. Whether to create a family long-term care district to apply to the department for a contract to operate a resource center.

SECTION 979. 46.283 (2) (a) of the statutes is repealed.

SECTION 980. 46.283 (2) (b) of the statutes is renumbered 46.283 (2), and 46.283 (2) (intro.) and (b), as renumbered, are amended to read:

46.283 (2) (intro.) After June 30, 2001, the department may, if the applicable review conditions under s. 46.281 (1) (e) 2. are satisfied, contract to operate a resource center with counties, family long-term care districts, or the governing body of a tribe or band or the Great Lakes Inter-Tribal Council, Inc., under a joint application of any of these, or with a private nonprofit organization if the department determines that the organization has no significant connection to an entity that operates a care management organization and if any of the following applies:

(b) A county agency or a family long-term care district applies for a contract but fails to meet the standards specified in sub. (3).

SECTION 981. 46.283 (3) (h) of the statutes is repealed.

SECTION 982. 46.283 (3) (i) of the statutes is repealed.
SECTION 983. 46.283 (3) (k) of the statutes is amended to read:

46.283 (3) (k) A determination of eligibility for state supplemental payments under s. 49.77, medical assistance under s. 49.46, 49.468 or 49.47, or 49.471, or the federal food stamp program under 7 USC 2011 to 2029.

SECTION 984. 46.283 (4) (e) of the statutes is amended to read:

46.283 (4) (e) Within 6 months after the family care benefit is available to all eligible persons in the area of the resource center, provide information about the services of the resource center, including the services specified in sub. (3) (d), about assessments under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c) and about the family care benefit to all older persons and persons with a physical disability who are residents of nursing homes, community-based residential facilities, adult family homes and residential care apartment complexes in the area of the resource center.

SECTION 985. 46.283 (4) (f) of the statutes is amended to read:

46.283 (4) (f) Perform a functional screening and a financial screening and cost-sharing screening for any resident, as specified in par. (e), who requests a screening and assist any resident who is eligible and chooses to enroll in a care management organization to do so.

SECTION 986. 46.283 (4) (g) of the statutes is amended to read:

46.283 (4) (g) Perform a functional screening and a financial screening and cost-sharing screening for any person seeking admission to a nursing home, community-based residential facility, residential care apartment complex, or adult family home if the secretary has certified that the resource center is available to the person and the facility and the person is determined by the resource center to have a condition that is expected to last at least 90 days that would require care,
assistance, or supervision. A resource center may not require a financial screen and cost-sharing screening for a person seeking admission or about to be admitted on a private pay basis who waives the requirement for a financial screen and cost-sharing screening under this paragraph, unless the person is expected to become eligible for medical assistance within 6 months. A resource center need not provide perform a functional screen for screening for a person seeking admission or about to be admitted who has received a screen for whom a functional eligibility under s. 46.286 (1) (a) screening was performed within the previous 6 months.

**SECTION 987.** 46.283 (4) (j) of the statutes is created to read:

46.283 (4) (j) Target any outreach, education, and prevention services it provides and any service development efforts it conducts on the basis of findings made by the governing board of the resource center under sub. (6) (b) 2. and 3.

**SECTION 988.** 46.283 (5) of the statutes is amended to read:

46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b), (bm), (gp), (pa), and (w), and (xd) and (7) (b), (bd), and (md), the department may contract with organizations that meet standards under sub. (3) for performance of the duties under sub. (4) and shall distribute funds for services provided by resource centers.

**SECTION 989.** 46.283 (6) of the statutes is amended to read:

46.283 (6) GOVERNING BOARD. (a) 1. A resource center shall have a governing board that reflects the ethnic and economic diversity of the geographic area served by the resource center.

2. At least one-fourth of the members of the governing board shall be older persons or persons with physical or developmental disabilities individuals who belong to a client group served by the resource center or their family members,
guardians, or other advocates. The proportion of these board members who belong
to each client group, or their family members, guardians, or advocates, shall be the
same, respectively, as the proportion of individuals in this state who receive services
under s. 46.2805 to 46.2895 and belong to each client group.

**SECTION 990.** 46.283 (6) (a) 3. of the statutes is created to read:

46.283 (6) (a) 3. An individual who has a financial interest in, or serves on the
governing board of, a care management organization or an organization that
administers a program described under s. 46.2805 (1) (a) or (b) or a managed care
program under s. 49.45 for individuals who are eligible to receive supplemental
security income under 42 USC 1381 to 1383c, which serves any geographic area also
served by a resource center, and the individual’s family members, may not serve as
members of the governing board of the resource center.

**SECTION 991.** 46.283 (6) (b) of the statutes is created to read:

46.283 (6) (b) The governing board of a resource center shall do all of the
following:

1. Determine the structure, policies, and procedures of, and oversee the
operations of, the resource center. The operations of a resource center that is
operated by a county are subject to the county’s ordinances and budget.

2. Annually gather information from consumers and providers of long-term
care services and other interested persons concerning the adequacy of long-term
care services offered in the area served by the resource center. The board shall
provide well-advertised opportunities for persons to participate in the board’s
information gathering activities conducted under this subdivision.

4. Report findings made under subds. 2. and 3. to the applicable regional
long-term care advisory committee.
5. Recommend strategies for building local capacity to serve older persons and persons with physical or developmental disabilities, as appropriate, to local elected officials, the regional long-term care advisory committee, or the department.

7. Appoint members to the regional long-term care advisory committee, as provided under s. 46.2825 (1).

**SECTION 992.** 46.284 (1) (a) (intro.) of the statutes is amended to read:
46.284 (1) (a) After considering recommendations of the local long-term care council under s. 46.282 (3) (a) 1., a county board of supervisors and, in a county with a county executive or a county administrator, the county executive or county administrator, may decide all of the following:

**SECTION 993.** 46.284 (1) (a) 2. of the statutes is amended to read:
46.284 (1) (a) 2. Whether to create a family long-term care district to apply to the department for a contract to operate a care management organization.

**SECTION 994.** 46.284 (2) (b) (intro.) of the statutes is repealed.

**SECTION 995.** 46.284 (2) (b) 1. of the statutes is repealed.

**SECTION 996.** 46.284 (2) (b) 2. of the statutes is repealed.

**SECTION 997.** 46.284 (2) (b) 3. of the statutes is renumbered 46.284 (2) (bm) and amended to read:
46.284 (2) (bm) After December 31, 2003, the department may contract with counties, family long-term care districts, the governing body of a tribe or band or the Great Lakes inter-tribal council, inc., or under a joint application of any of these, or with a private organization that has no significant connection to an entity that operates a resource center. Proposals for contracts under this subdivision shall be solicited under a competitive sealed proposal process under s. 16.75 (2m) and, after consulting with the local long-term care council for the county or counties, the
department shall evaluate the proposals primarily as to the quality of care that is
proposed to be provided, certify those applicants that meet the requirements
specified in sub. (3) (a), select certified applicants for contract and contract with the
selected applicants.

SECTION 997m. 46.284 (2) (c) of the statutes is created to read:

46.284 (2) (c) The department shall require, as a term of any contract with a
care management organization under this section, that the care management
organization contract for the provision of services that are covered under the family
care benefit with any community–based residential facility under s. 50.01 (1g),
residential care apartment complex under s. 50.01 (1d), nursing home under s. 50.01
(3), intermediate care facility for the mentally retarded under s. 50.14 (1) (b),
community rehabilitation program, home health agency under s. 50.49 (1) (a),
provider of day services, or provider of personal care, as defined in s. 50.01 (4o), that
agrees to accept the reimbursement rate that the care management organization
pays under contract to similar providers for the same service and that satisfies any
applicable quality of care, utilization, or other criteria that the care management
organization requires of other providers with which it contracts to provide the same
service.

SECTION 998. 46.284 (3) (a) of the statutes is amended to read:

46.284 (3) (a) If an entity meets the requirements under par. (b) and applicable
rules of the department and submits to the department an application for initial
certification or certification renewal, the department shall certify that the entity
meets the requirements for a care management organization. An application shall
include comments about the applicant and recommendations about the application
that are provided by the appropriate local long-term care council, as specified under
s. 46.282 (3) (a) 3.

SECTION 999. 46.284 (5) (a) of the statutes is amended to read:

46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gp),
(im), (o), and (w), and (xd) and (7) (b) and (bd), and (g), the department shall provide
funding on a capitated payment basis for the provision of services under this section.
Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
under contract with the department may expend the funds, consistent with this
section, including providing payment, on a capitated basis, to providers of services
under the family care benefit.

SECTION 1000. 46.284 (6) of the statutes is amended to read:

46.284 (6) Governing board. A care management organization shall have a
governing board that reflects the ethnic and economic diversity of the geographic
area served by the care management organization. At least one-fourth of the
members of the governing board shall be older persons or persons with physical or
developmental disabilities or their family members, guardians or other advocates
who are representative of the client group or groups whom the care management
organization's enrollee organization is contracted to serve or those clients' family
members, guardians, or other advocates.

SECTION 1001. 46.285 (1) of the statutes is renumbered 46.285, and 46.285
(intro.), (1) and (2), as renumbered, are amended to read:

46.285 (intro.) In order to meet federal requirements and assure federal
financial participation in funding of the family care benefit, a county, a tribe or band,
a family long-term care district or an organization, including a private, nonprofit
corporation, may not directly operate both a resource center and a care management organization, except as follows:

(1) For an entity with which the department has contracted under s. 46.281 (1) (e) 1., 2005 stats., provision of the services specified under s. 46.283 (3) (b), (e), (f) and (g) shall be structurally separate from the provision of services of the care management organization by January 1, 2001.

(2) The department may approve separation of the functions of a resource center from those of a care management organization by a means other than those specified in sub. (2) creating a long-term care district under s. 46.2895 to serve either as a resource center or a care management organization.

SECTION 1002. 46.285 (2) of the statutes is repealed.

SECTION 1003. 46.286 (1) (intro.) of the statutes is amended to read:

46.286 (1) ELIGIBILITY. (intro.) A person is eligible for, but not necessarily entitled to, the family care benefit if the person is at least 18 years of age; has a physical disability, as defined in s. 15.197 (4) (a) 2., or a developmental disability, as defined in s. 51.01 (5) (a), or degenerative brain disorder, as defined in s. 55.01 (1v) is a frail elder; and meets all of the following criteria:

SECTION 1004. 46.286 (1) (a) 1. of the statutes is amended to read:

46.286 (1) (a) 1. The person’s functional capacity level of care need is at either of the following levels:

a. The comprehensive nursing home level, if the person has a long-term or irreversible condition, expected to last at least 90 days or result in death within one year of the date of application, and requires ongoing care, assistance or supervision.

b. The intermediate non-nursing home level, if the person has a condition that is expected to last at least 90 days or result in death within 12 months after the date
of application, and is at risk of losing his or her independence or functional capacity unless he or she receives assistance from others.

**SECTION 1005.** 46.286 (1) (b) (intro.) of the statutes is amended to read:

46.286 (1) (b) *Financial eligibility.* (intro.) A person is financially eligible if all any of the following apply:

**SECTION 1006.** 46.286 (1) (b) 1. (intro.) of the statutes is repealed.

**SECTION 1007.** 46.286 (1) (b) 1. a. of the statutes is renumbered 46.286 (1) (b) 3. and amended to read:

46.286 (1) (b) 3. The person was receiving the family care benefit on the effective date of this subdivision ..., [revisor inserts date], the person would qualify for medical assistance except for financial or disability criteria, and the projected cost of the person’s care plan, as calculated by the department or its designee, exceeds the person’s gross monthly income, plus one-twelfth of his or her countable assets, less deductions and allowances permitted by rule by the department.

**SECTION 1008.** 46.286 (1) (b) 1. b. and 2. of the statutes are consolidated, renumbered 46.286 (1) (b) 1m. and amended to read:

46.286 (1) (b) 1m. The person is eligible under ch. 49 for medical assistance. 2. If subd. 1. b. applies, the person accepts medical assistance and, unless he or she is exempt from the acceptance under rules promulgated by the department, accepts medical assistance.

**SECTION 1009.** 46.286 (3) (a) (intro.) of the statutes is amended to read:

46.286 (3) (a) (intro.) Subject to pars. par. (c) and (d), a person is entitled to and may receive the family care benefit through enrollment in a care management organization if he or she all of the following apply:

1m. The person is at least 18 years of age.
2m. The person has a physical disability, as defined in s. 15.197 (4) (a) 2., a developmental disability, as defined in s. 51.01 (5) (a), or degenerative brain disorder, as defined in s. 55.01 (1v), is a frail elder.

4m. The person is financially eligible, under sub. (1) (b) 1m., and fulfills any applicable cost-sharing requirements and meets any of the following criteria:

SECTION 1010. 46.286 (3) (a) 1. of the statutes is repealed.

SECTION 1011. 46.286 (3) (a) 2. of the statutes is repealed.

SECTION 1012. 46.286 (3) (a) 3. of the statutes is repealed.

SECTION 1013. 46.286 (3) (a) 3m. of the statutes is created to read:

46.286 (3) (a) 3m. The person is functionally eligible under sub. (1) (a).

SECTION 1014. 46.286 (3) (a) 4. of the statutes is repealed.

SECTION 1015. 46.286 (3) (a) 6. of the statutes is repealed.

SECTION 1016. 46.286 (3) (d) of the statutes is repealed.

SECTION 1017. 46.286 (3m) of the statutes is repealed and recreated to read:

46.286 (3m) INFORMATION ABOUT ENROLLEES. The department shall obtain and share information about family care enrollees as provided in s. 49.475.

SECTION 1018. 46.288 (2) (intro.) of the statutes is amended to read:

46.288 (2) (intro.) Criteria and procedures for determining functional eligibility under s. 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), and cost sharing under s. 46.286 (2) (a) and entitlement under s. 46.286 (3). The rules for determining functional eligibility under s. 46.286 (1) (a) 1. a. shall be substantially similar to eligibility criteria for receipt of the long-term support community options program under s. 46.27. Rules under this subsection shall include definitions of the following terms applicable to s. 46.286:

SECTION 1019. 46.289 (title) of the statutes is renumbered 46.2803 (title).
SECTION 1020. 46.289 of the statutes is renumbered 46.2803 (1).

SECTION 1021. 46.2895 (title) of the statutes is amended to read:

46.2895 (title) **Family Long-term care district.**

SECTION 1022. 46.2895 (1) (a) (intro.) of the statutes is amended to read:

46.2895 (1) Creation. (a) (intro.) A county board of supervisors, a tribe or band, or any combination of counties or tribes or bands, may create a special purpose district that is termed a “family long-term care district”, that is a local unit of government, that is separate and distinct from, and independent of, the state and the county or tribe or band that created it, and that has the powers and duties specified in this section, if the each county board or tribe or band that participates in creating the district does all of the following:

SECTION 1023. 46.2895 (1) (a) 1. a. of the statutes is amended to read:

46.2895 (1) (a) 1. a. Declares the need for establishing the family long-term care district.

SECTION 1024. 46.2895 (1) (a) 1. b. of the statutes is amended to read:

46.2895 (1) (a) 1. b. Specifies the family long-term care district’s primary purpose, which shall be to operate, under contract with the department, either a resource center under s. 46.283 or, a care management organization under s. 46.284, but not both, or a program described under s. 46.2805 (1) (a) or (b).

SECTION 1025. 46.2895 (1) (a) 1. c. of the statutes is created to read:

46.2895 (1) (a) 1. c. Specifies the number of individuals who shall be appointed as members of the long-term care district board, the length of their terms, and, if the long-term care district is created by more than one county or tribe or band, how many members shall be appointed by each county or tribe or band.

SECTION 1026. 46.2895 (1) (b) of the statutes is repealed.
SECTION 1027. 46.2895 (1) (c) of the statutes is created to read:

46.2895 (1) (c) A long-term care district may not operate a care management organization under s. 46.284 or a program described under s. 46.2805 (1) (a) or (b) if the district operates a resource center under s. 46.283.

SECTION 1028. 46.2895 (1) (d) of the statutes is created to read:

46.2895 (1) (d) A county or tribe or band may create more than one long-term care district.

SECTION 1029. 46.2895 (1) (e) of the statutes is created to read:

46.2895 (1) (e) A long-term care district may change its primary purpose specified under par. (a) 1. b. if all the counties or tribes or bands that created the district and that have not withdrawn or been removed from the district under sub. (14), adopt a resolution approving the change in primary purpose and if the change in purpose does not violate par. (c) or any provision of a contract between the department and the district.

SECTION 1030. 46.2895 (2) of the statutes is amended to read:

46.2895 (2) JURISDICTION. A family long-term care district’s jurisdiction is the geographical area of the county or counties of the county board or boards of supervisors who created the family long-term care district and the geographic area of the reservation of, or lands held in trust for, any tribe or band that created the long-term care district.

SECTION 1031. 46.2895 (3) (title) of the statutes is amended to read:

46.2895 (3) (title) FAMILY LONG-TERM CARE DISTRICT BOARD.

SECTION 1032. 46.2895 (3) (a) 1. of the statutes is renumbered 46.2895 (3) (a) and amended to read:
46.2895 (3) (a) The county board of supervisors of a county or, in a county with a county administrator or county executive, the county administrator or county executive shall appoint the members of the family long-term care district board, which is the governing board of a family care district under sub. (1) (a) members whom the county is allotted, by resolutions adopted under sub. (1) (a) c., to appoint.

SECTION 1033. 46.2895 (3) (a) 2. of the statutes is repealed.

SECTION 1034. 46.2895 (3) (b) 1. of the statutes is amended to read:

46.2895 (3) (b) 1. The family care district board appointed under par. (a) 1. shall consist of 15 persons who are residents of the area of jurisdiction of the family care district. At least one-fourth of the members of a long-term care district board shall be representative of the client group or groups whom it is the family long-term care district’s primary purpose to serve or those clients’ family members, guardians, or other advocates.

SECTION 1035. 46.2895 (3) (b) 2. of the statutes is repealed.

SECTION 1036. 46.2895 (3) (b) 3. of the statutes is amended to read:

46.2895 (3) (b) 3. Membership of the family a long-term care district board under subd. 1. or 2. shall reflect the ethnic and economic diversity of in the area of jurisdiction of the family long-term care district. Up to one-fourth of the members of the board may be elected or appointed officials or employees of the county or counties that created the family care district.

4. No member of the a long-term care district board may have a private financial interest in or profit directly or indirectly from any contract or other business of the family long-term care district.

SECTION 1037. 46.2895 (3) (b) 5. of the statutes is created to read:
46.2895 (3) (b) 5. Only individuals who reside within the jurisdiction of a
long-term care district may serve as members of the long-term care district board.

SECTION 1038. 46.2895 (3) (c) of the statutes is repealed.

SECTION 1039. 46.2895 (3) (d) of the statutes is amended to read:

46.2895 (3) (d) As soon as possible after the appointment of the initial members
of the family long-term care district board, the board shall organize for the
transaction of business and elect a chairperson and other necessary officers. Each
chairperson shall be elected by the board from time to time for the term of that
chairperson’s office as a member of the board or for the term of 3 years, whichever
is shorter, and shall be eligible for reelection. A majority of the board shall constitute
a quorum. The Unless specified otherwise in a bylaw adopted by the board, the board
may act based on the affirmative vote of a majority of a quorum.

SECTION 1040. 46.2895 (4) (intro.) of the statutes is amended to read:

46.2895 (4) POWERS. (intro.) Subject to sub. (1) (a) 1., b., (c), a family long-term
care district has all the powers necessary or convenient to carry out the purposes and
provisions of ss. 46.2805 to 46.2895. In addition to all these powers, a family
long-term care district may do all of the following:

SECTION 1041. 46.2895 (4) (b) of the statutes is amended to read:

46.2895 (4) (b) Adopt bylaws and policies and procedures for the regulation of
its affairs and the conduct of its business. The bylaws, policies and procedures shall
be consistent with ss. 46.2805 to 46.2895 and, if the family long-term care district
contracts with the department under par. (d) or (dm), with the terms of that contract.

SECTION 1042. 46.2895 (4) (dm) of the statutes is created to read:
46.2895 (4) (dm) Subject to sub. (1) (c), enter into a contract with the department to operate a program described under s. 46.2805 (1) (a) or (b) and provide services related to the contracted services.

**SECTION 1043.** 46.2895 (4) (g) of the statutes is amended to read:

46.2895 (4) (g) Subject to sub. (8), employ any agent, employee, or special adviser that the family long-term care district finds necessary, fix and regulate his or her compensation and provide, either directly or subject to an agreement under s. 66.0301 as a participant in a benefit plan of another governmental entity, any employee benefits, including an employee pension plan.

**SECTION 1044.** 46.2895 (4) (h) of the statutes is amended to read:

46.2895 (4) (h) Mortgage, pledge or otherwise encumber the family long-term care district’s property or funds.

**SECTION 1045.** 46.2895 (4) (k) of the statutes is amended to read:

46.2895 (4) (k) Create a risk reserve or other special reserve as the family long-term care district board desires or as the department requires under the contract with the department that is specified under par. (d).

**SECTION 1046.** 46.2895 (4) (L) of the statutes is amended to read:

46.2895 (4) (L) Accept aid, including loans, to accomplish the purpose of the family long-term care district from any local, state or federal governmental agency or accept gifts, loans, grants or bequests from individuals or entities, if the conditions under which the aid, loan, gift, grant or bequest is furnished are not in conflict with this section.

**SECTION 1047.** 46.2895 (4) (m) of the statutes is amended to read:

46.2895 (4) (m) Make and execute other instruments necessary or convenient to exercise the powers of the family long-term care district.
SECTION 1048. 46.2895 (5) of the statutes is amended to read:

46.2895 (5) LIMITATION ON POWERS. A family long-term care district may not issue bonds or levy a tax or assessment.

SECTION 1049. 46.2895 (6) (intro.) of the statutes is amended to read:

46.2895 (6) DUTIES. (intro.) The family long-term care district board shall do all of the following:

SECTION 1050. 46.2895 (6) (b) of the statutes is amended to read:

46.2895 (6) (b) Subject to sub. (8), develop and implement a personnel structure and other employment policies for employees of the family long-term care district.

SECTION 1051. 46.2895 (6) (c) of the statutes is amended to read:

46.2895 (6) (c) Assure compliance with the terms of any contract with the department under sub. (4) (d) or (dm).

SECTION 1052. 46.2895 (6) (d) of the statutes is amended to read:

46.2895 (6) (d) Establish a fiscal operating year and annually adopt a budget for the family long-term care district.

SECTION 1053. 46.2895 (6) (e) of the statutes is amended to read:

46.2895 (6) (e) Contract for any legal services required for the family long-term care district.

SECTION 1054. 46.2895 (7) (a) of the statutes is amended to read:

46.2895 (7) (a) Manage the property and business of the family long-term care district and manage the employees of the district, subject to the general control of the family long-term care district board.

SECTION 1055. 46.2895 (7) (b) of the statutes is amended to read:
46.2895 (7) (b) Comply with the bylaws and direct enforcement of all policies and procedures adopted by the family long-term care district board.

**SECTION 1056.** 46.2895 (7) (c) of the statutes is amended to read:

46.2895 (7) (c) Perform duties in addition to those specified in pars. (a) and (b) as are prescribed by the family long-term care district board.

**SECTION 1057.** 46.2895 (8) (a) (intro.) of the statutes is amended to read:

46.2895 (8) (a) (intro.) A family long-term care district board that is created at least in part by a county shall do all of the following:

**SECTION 1058.** 46.2895 (8) (a) 1. of the statutes is amended to read:

46.2895 (8) (a) 1. If the family long-term care district offers employment to any individual who was previously employed by the family long-term care district offers employment to any individual who was previously employed by the a county, which participated in creating the district and at the time of the offer had not withdrawn or been removed from the district under sub. (14), and who while employed by the county performed duties relating to the same or a substantially similar function for which the individual is offered employment by the district and whose wages, hours and conditions of employment were established in a collective bargaining agreement with the county under subch. IV of ch. 111 that is in effect on the date that the individual commences employment with the district, with respect to that individual, abide by the terms of the collective bargaining agreement concerning the individual's compensation and benefits wages and, if applicable, vacation allowance, sick leave accumulation, sick leave bank, holiday allowance, funeral leave allowance, personal day allowance, or paid time off allowance until the time of the expiration of that collective bargaining agreement or adoption of a collective bargaining agreement with the district under subch. IV of ch. 111 covering the individual as an employee of the district, whichever occurs first.
SECTION 1059. 46.2895 (8) (a) 2. of the statutes is repealed.

SECTION 1060. 46.2895 (8) (a) 3. of the statutes is amended to read:

46.2895 (8) (a) 3. If the family long-term care district offers employment to any individual who was previously employed by the a county which participated in creating the district and at the time of the offer had not withdrawn or been removed from the district under sub. (14), and who while employed by the county performed duties relating to the same or a substantially similar function for which the individual is offered employment by the district, with respect to that individual, recognize all years of service with the county for any benefit provided or program operated by the district for which an employee’s years of service may affect the provision of the benefit or the operation of the program.

SECTION 1061. 46.2895 (8) (a) 4. of the statutes is amended to read:

46.2895 (8) (a) 4. If the county has not established its own retirement system for county employees, adopt a resolution that the family long-term care district be included within the provisions of the Wisconsin retirement system under s. 40.21 (1). In this resolution, the family long-term care district shall agree to recognize 100% of the prior creditable service of its employees earned by the employees while employed by the district.

SECTION 1062. 46.2895 (8) (b) (intro.) of the statutes is amended to read:

46.2895 (8) (b) (intro.) The county board of supervisors of the area of jurisdiction of the family each county that creates a long-term care district shall do all of the following:

SECTION 1063. 46.2895 (8) (b) 1. of the statutes is amended to read:
46.2895 (8) (b) 1. If the county has established its own retirement system for county employees, provide that family long-term care district employees are eligible to participate in the county retirement system.

SECTION 1064. 46.2895 (8) (b) 2. of the statutes is repealed.

SECTION 1065. 46.2895 (8) (b) 2m. of the statutes is created to read:

46.2895 (8) (b) 2m. If the long-term care district employs any individual who was previously employed by the county, provide the individual health care coverage that is similar to the health care coverage that the county provided the individual when he or she was employed by the county.

SECTION 1066. 46.2895 (8) (b) 3. of the statutes is repealed.

SECTION 1067. 46.2895 (8) (c) of the statutes is created to read:

46.2895 (8) (c) A long-term care district and any county that created the district and has not withdrawn from or been removed from the district under sub. (14) may enter into an agreement allocating the costs of providing benefits described under this section between the district and the county.

SECTION 1068. 46.2895 (9) of the statutes is amended to read:

46.2895 (9) CONFIDENTIALITY OF RECORDS. No record, as defined in s. 19.32 (2), of a family long-term care district that contains personally identifiable information, as defined in s. 19.62 (5), concerning an individual who receives services from the family long-term care district may be disclosed by the family long-term care district without the individual’s informed consent, except as required to comply with s. 16.009 (2) (p) or 49.45 (4).

SECTION 1069. 46.2895 (10) of the statutes is amended to read:

46.2895 (10) EXCHANGE OF INFORMATION. Notwithstanding sub. (9) and ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7),
253.07 (3) (c) and 938.78 (2) (a), a family long-term care district acting under this section may exchange confidential information about a client, as defined in s. 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.284 (7), 51.42 (3) (e) or 51.437 (4r) (b) in the jurisdiction of the family long-term care district, if necessary to enable the family long-term care district to perform its duties or to coordinate the delivery of services to the client.

**SECTION 1070.** 46.2895 (11) of the statutes is amended to read:

46.2895 (11) OBLIGATIONS AND, DEBTS, AND RESPONSIBILITIES NOT THOSE OF COUNTY. The obligations and debts of the family a long-term care district are not the obligations or debts of the any county that created the family care district. If a long-term care district is obligated by statute or contract to provide or pay for services or benefits, no county is responsible for providing or paying for those services or benefits.

**SECTION 1071.** 46.2895 (12) of the statutes is amended to read:

46.2895 (12) ASSISTANCE TO FAMILY LONG-TERM CARE DISTRICT. From moneys in the a county treasury that are not appropriated to some other purpose, the county board of supervisors under sub. (1) (a) or the county boards of supervisors under sub. (1) (b) may appropriate moneys to the family a long-term care district that the county participated in creating as a gift or may lend moneys to the family long-term care district.

**SECTION 1072.** 46.2895 (13) (intro.), (a) and (b) of the statutes are consolidated, renumbered 46.2895 (13) and amended to read:

46.2895 (13) DISSOLUTION. (intro.) Subject to the performance of the contractual obligations of a family long-term care district and if first approved by the
Secretary of the department, the family long-term care district may be dissolved by
the joint action of the family long-term care district board and each county board of
supervisors under sub. (1) (a) or the county boards of supervisors under sub. (1) (b)
or tribe or band that created the family long-term care district and has not
withdrawn or been removed from the district under sub. (14). If the family a
long-term care district that is created by one county or tribe or band is dissolved, the
property of the district shall be transferred to the county board of supervisors or tribe
or band that created the family care district except as follows: it. (a) If the family a
long-term care district was created under sub. (1) (b), by more than one county or
tribe or band, all of the county boards of supervisors counties or tribes or bands that
created the district and that have not withdrawn or been removed from the district
under sub. (14) shall agree on the apportioning of the family long-term care district's
property before the district may be dissolved. (b) If the family long-term care district
operates a care management organization under s. 46.284, disposition of any
remaining funds in the risk reserve under s. 46.284 (5) (e) shall be made under the
terms of the district's contract with the department.

SECTION 1073. 46.2895 (14) of the statutes is created to read:

46.2895 (14) Withdrawal or removal of a county or tribe or band. Subject
to approval from the department, a long-term care district may establish conditions
for a county or tribe or band that participated with one or more counties or tribes or
bands in creating the district to withdraw from the district or for the district to
remove the county or tribe or band from the district.

SECTION 1073v. 46.29 (1) (intro.) of the statutes is amended to read:

46.29 (1) (intro.) From the appropriation under s. 20.435 (6) (a), the
department shall allocate up to $10,000 at least $16,100 in each fiscal year for
operation of the council on physical disabilities. The council on physical disabilities shall do all of the following:

SECTION 1076. 46.30 (title) of the statutes is renumbered 49.265 (title).

SECTION 1077. 46.30 (1) of the statutes is renumbered 49.265 (1).

SECTION 1078. 46.30 (2) of the statutes is renumbered 49.265 (2).

SECTION 1079. 46.30 (3) (title) of the statutes is renumbered 49.265 (3) (title).

SECTION 1080. 46.30 (3) (a) (intro.) of the statutes is renumbered 49.265 (3) (a) (intro.).

SECTION 1081. 46.30 (3) (a) 1. of the statutes is renumbered 49.265 (3) (a) 1.

SECTION 1082. 46.30 (3) (a) 2. of the statutes is renumbered 49.265 (3) (a) 2.

SECTION 1083. 46.30 (3) (a) 3. of the statutes is renumbered 49.265 (3) (a) 3.

SECTION 1084. 46.30 (3) (a) 4. of the statutes is renumbered 49.265 (3) (a) 4.

SECTION 1085. 46.30 (3) (a) 5. of the statutes is renumbered 49.265 (3) (a) 5.

SECTION 1086. 46.30 (3) (a) 6. of the statutes is renumbered 49.265 (3) (a) 6.

SECTION 1087. 46.30 (3) (a) 7. of the statutes is renumbered 49.265 (3) (a) 7.

SECTION 1088. 46.30 (3) (a) 8. of the statutes is renumbered 49.265 (3) (a) 8. and amended to read:

49.265 (3) (a) 8. Appoint a representative or representatives to the citizen advisory committee under s. 46.031 49.325 (3) (a), in order to participate in developing and implementing programs designed to serve the poor.

SECTION 1089. 46.30 (3) (b) of the statutes is renumbered 49.265 (3) (b).

SECTION 1090. 46.30 (4) (title) of the statutes is renumbered 49.265 (4) (title).

SECTION 1091. 46.30 (4) (a) of the statutes is renumbered 49.265 (4) (a) and amended to read:
49.265 (4) (a) The department shall distribute the federal community services
block grant funds received under 42 USC 9903 and deposited in the appropriations
under s. 20.435 (3) 20.437 (1) (mc) and (md).

SECTION 1092. 46.30 (4) (b) of the statutes is renumbered 49.265 (4) (b).
SECTION 1093. 46.30 (4) (c) of the statutes is renumbered 49.265 (4) (c).
SECTION 1094. 46.30 (4) (d) of the statutes is renumbered 49.265 (4) (d).
SECTION 1095. 46.30 (5) of the statutes is renumbered 49.265 (5).
SECTION 1096. 46.40 (1) (a) of the statutes is amended to read:

46.40 (1) (a) Within the limits of available federal funds and of the
appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds
for community social, mental health, developmental disabilities, and alcohol and
other drug abuse services and for services under ss. 46.51, 46.87, 46.985, and 51.421
to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to
county aging units, as provided in subs. (2), (2m), and (7) to (9).

SECTION 1097. 46.40 (1) (b) of the statutes is renumbered 48.563 (1) (b) and
amended to read:

48.563 (1) (b) Notwithstanding s. 46.49 48.568, if the department receives any
federal moneys under 42 USC 670 to 679a in reimbursement of moneys allocated
under par. (a) for the provision of foster care, the department shall distribute those
federal moneys for services and projects to assist children and families and for the
purposes specified in s. 46.46 48.567.

SECTION 1098. 46.40 (1) (c) of the statutes is renumbered 48.563 (1) (c) and
amended to read:

48.563 (1) (c) The Milwaukee County department of social services shall report
to the department in a manner specified by the department on all children under the
supervision of the Milwaukee County department of social services who are placed
in foster homes and whose foster parents receive funding for child care from the
amounts distributed under par. (a) so that the department may claim federal foster
care and adoption assistance reimbursement under 42 USC 670 to 679a for the
amounts expended by the Milwaukee County department of social services for the
provision of child care for those children. Notwithstanding s. 46.49, if the
department receives any federal moneys under 42 USC 670 to 679a in
reimbursement of the amounts expended by the Milwaukee County department of
social services for the provision of child care for children in foster care in 1996 and
1997, the department shall distribute those federal moneys to the Milwaukee County
department of social services for the provision of child care for children in foster care.

SECTION 1099. 46.40 (1) (d) of the statutes is amended to read:

46.40 (1) (d) If the department of health and family services receives any
federal moneys under 42 USC 1396 to 1396v in reimbursement of the cost of
preventing out-of-home placements of children, the department of health and
family services shall transfer those moneys to the department of children and
families, and the department of children and families shall use those moneys as the
first source of moneys used to meet the amount of the allocation under sub. s. 48.563
(2) that is budgeted from federal funds.

SECTION 1100. 46.40 (2) of the statutes is amended to read:

46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
more than $242,078,700 $242,725,500 in each fiscal year.

SECTION 1101. 46.40 (2) of the statutes, as affected by 2007 Wisconsin Act ....

(this act), is amended to read:
46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
more than $242,725,500 $176,068,400 in each fiscal year.

SECTION 1101p. 46.40 (2m) (b) of the statutes is amended to read:

46.40 (2m) (b) Community mental health services. For community mental
health services under 42 USC 300x to 300x−9, the department shall distribute not
more than $2,513,400 in each fiscal year.

SECTION 1102. 46.40 (3) of the statutes is renumbered 48.563 (3) and amended
to read:

48.563 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the
department shall distribute not more than $412,800 in each fiscal year from the
appropriation account under s. 20.435 (7) 20.437 (1) (b) to federally recognized
American Indian tribes or bands. A tribe or band that receives funding under this
subsection shall use that funding to provide child care for an eligible child, as defined
in 42 USC 9858n (4).

SECTION 1103. 46.40 (7m) of the statutes is renumbered 48.563 (7m) and
amended to read:

48.563 (7m) USE BY COUNTY OF COMMUNITY CHILDREN AND FAMILY AIDS FUNDS TO
PAY PRIVATE ATTORNEYS FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE. Upon
application by a county department under s. 46.215, 46.22, or 46.23 to the
department for permission to use funds allocated to that county department under
sub. (2) to employ private counsel for the purposes specified in this subsection and
a determination by the department that use of funds for those purposes does not
affect any federal grants or federal funding allocated under this section, the
department and the county department shall execute a contract authorizing the
county department to expend, as agreed upon in the contract, funds allocated to that county department under sub. (2) to permit the county department to employ private counsel to represent the interests of the state or county in proceedings under ch. 48 this chapter relating to child abuse or neglect cases, unborn child abuse cases, proceedings to terminate, termination of parental rights, and any ch. 48 cases or proceedings involving the Indian child welfare act, Child Welfare Act, 25 USC 1901 to 1963.

**SECTION 1104a.** 46.40 (9) (a) of the statutes is renumbered 46.40 (9) (ar) and amended to read:

46.40 (9) (ar) **Transfer to family care program and adult protective services allocation.** If a care management organization under s. 46.284 is available in a county, the department may dispose of not more than 21.3% of the amount allocated under sub. (2) to that county as follows, and, of the amount allocated under sub. (8), may dispose of the lesser of up to 60% or the amount remaining after subtracting an amount necessary to maintain funding for recipients under sub. (8) who, on September 1, 2001, are ineligible for the family care benefit under s. 46.286, to that county, as follows:

1. By transferring a portion of those amounts that amount, as determined by the department, to the family care program to fund the services of resource centers under s. 46.283 (5) and the services of care management organizations under s. 46.284 (4).

2. By transferring a portion of those amounts that amount, as determined by the department, to the county’s adult protective services allocation under par. (b).

**SECTION 1104c.** 46.40 (9) (ag) of the statutes is created to read:
46.40 (9) (ag) **Adjustment for family care.** If a care management organization under s. 46.284 is available in a county and the county has under s. 46.281 (4) agreed to a reduction in its distribution under sub. (2), the department shall use the amount established under s. 46.281 (4) to fund the services of care management organizations under s. 46.284 (4).

**SECTION 1104g.** 46.40 (9) (b) of the statutes is amended to read:

46.40 (9) (b) **Adult protective services allocation.** For adult protective services, the department shall distribute the amounts transferred under par. (a) (ar) 2. in each fiscal year.

**SECTION 1106.** 46.45 (2) (a) of the statutes is renumbered 48.565 (2) (a) and amended to read:

48.565 (2) (a) Subject to par. (am), if on December 31 of any year there remains unspent or unencumbered in the allocation under s. 46.40 48.563 (2) an amount that exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40 48.563 (2) in that year, the department shall carry forward the excess moneys and distribute not less than 50% of the excess moneys to counties having a population of less than 500,000 that are making a good faith effort, as determined by the department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist children and families, notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not less than 50% of the moneys distributed to the county under this subsection for services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services, except that in the calendar year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2 calendar years after that calendar year the county may use 100% of the moneys distributed under this paragraph to reimburse the department for the costs of
Section 1106

If a county does not comply with s. 46.22 (1) (c) 8. f. before July 1, 2005, the department may recover any amounts distributed to that county under this paragraph after June 30, 2001, by billing the county or deducting from that county’s allocation under s. 46.40 48.563 (2). All moneys received by the department under this paragraph shall be credited to the appropriation account under s. 20.435 (3) 20.437 (1) (j).

Section 1107. 46.45 (2) (am) of the statutes is renumbered 48.565 (2) (am) and amended to read:

48.565 (2) (am) If on December 31 of any year a county is not using the centralized unit contracted for under s. 46.03 48.47 (7) (h) for determining whether the cost of providing care for a child is eligible for reimbursement under 42 USC 670 to 679a, the department shall reduce that county’s distribution under par. (a) by 50%.

Section 1108. 46.45 (2) (b) of the statutes is renumbered 48.565 (2) (b).

Section 1109. 46.45 (2) (c) of the statutes is renumbered 48.565 (2) (c) and amended to read:

48.565 (2) (c) The department shall credit to the appropriation account under s. 20.435 (8) (mb) 20.437 (3) (mp) any moneys carried forward under par. (a), but not distributed to counties, and may expend those moneys as provided in s. 46.46 48.567.

Section 1110. 46.45 (3) (a) of the statutes is amended to read:

46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal governing body, or private nonprofit organization, the department shall carry forward up to 3% of the total amount allocated to the county, tribal governing body, or nonprofit organization for a calendar year, not including the amount allocated to the county under s. 46.40 (7), which amount may be carried forward as provided in par. (c). All funds carried forward for a tribal governing body or nonprofit
organization, all federal child welfare funds under 42 USC 620 to 626, and all funds allocated under s. 46.40 (2m) carried forward for a county shall be used for the purpose for which the funds were originally allocated. Other funds carried forward under this paragraph may be used for any purpose under s. 20.435 (7) (b), except that a county may not use any funds carried forward under this paragraph for administrative or staff costs. An allocation of carried-forward funding under this paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and (9).

**SECTION 1111.** 46.46 (1) of the statutes is amended to read:

46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the department shall support costs that are exclusively related to the ongoing and recurring operational costs of augmenting the amount of moneys received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v and to any other purpose provided for by the legislature by law or in budget determinations and shall distribute moneys to counties as provided in sub. (1g). In addition, the department may expend moneys from the appropriation account under s. 20.435 (8) (mb) as provided in subs. (1m) and (2).

**SECTION 1112.** 46.46 (1m) of the statutes is renumbered 48.567 (1m) and amended to read:

48.567 (1m) In addition to expending moneys from the appropriation account under s. 20.435 (8) (mb) 20.437 (3) (mp) for the augmentation activities specified in sub. (1), the department may expend moneys received under 42 USC 1396 to 1396v in reimbursement of the cost of providing targeted case management services to children whose care is not eligible for reimbursement under 42 USC 670 to 679a and credited to the appropriation account under s. 20.435 (8) (mb) 20.437 (3) (mp) to
support the counties’ share of implementing the statewide automated child welfare
information system under s. 46.22 (1) (c) 8. f. and to provide services to children and
families under s. 48.48 (17).

**SECTION 1113.** 46.46 (2) of the statutes is amended to read:

46.46 (2) If the department proposes to use any moneys from the appropriation
account under s. 20.435 (8) (mb) for any purpose other than the purposes specified
in subs. (1), (1g), and (1m) and (1g), the department shall submit a plan for the
proposed use of those moneys to the secretary of administration by September 1 of
the fiscal year after the fiscal year in which those moneys were received. If the
secretary of administration approves the plan, he or she shall submit the plan to the
joint committee on finance by October 1 of the fiscal year after the fiscal year in which
those moneys were received. If the cochairpersons of the committee do not notify the
secretary of administration within 14 working days after the date of submittal of the
plan that the committee has scheduled a meeting for the purpose of reviewing the
plan, the department may implement the plan. If within 14 working days after the
date of the submittal by the secretary of administration the cochairpersons of the
committee notify him or her that the committee has scheduled a meeting for the
purpose of reviewing the plan, the department may implement the plan only with the
approval of the committee.

**SECTION 1114.** 46.48 (9) of the statutes is created to read:

46.48 (9) QUALITY HOME CARE PROGRAM. The department shall distribute at least
$167,000 in each fiscal year as a grant to an organization to provide services to
consumers and providers of supportive home care and personal care.

**SECTION 1115.** 46.48 (11m) (b) of the statutes is amended to read:
46.48 (11m) (b) The department shall award not more than $83,800 in fiscal year 2005–06 and not more than $106,400 in fiscal year 2006–07 annually as a grant to an organization or a group of organizations to provide services for female prisoners and offenders from Milwaukee County and their children, if the prisoners or offenders have been convicted of nonviolent crimes.

**SECTION 1116.** 46.48 (18) of the statutes is created to read:

46.48 (18) **OUTREACH SERVICES.** The department shall distribute $84,000 in each fiscal year as grants to community organizations in southeastern and south central Wisconsin to provide outreach services relating to health, mental health, housing, assisted living, domestic violence, and other services.

**SECTION 1117.** 46.481 (intro.) of the statutes is renumbered 48.481 (intro.) and amended to read:

48.481 Grants for children's community programs. (intro.) From the appropriation under s. 20.435 (3) 20.437 (1) (bc), the department shall distribute the following grants for children's community programs:

**SECTION 1118.** 46.481 (1) (title) of the statutes is renumbered 48.481 (1) (title).

**SECTION 1119.** 46.481 (1) (a) of the statutes is renumbered 48.481 (1) (a) and amended to read:

48.481 (1) (a) The department shall distribute $497,200 in each fiscal year to counties for the purpose of supplementing payments for the care of an individual who attains age 18 after 1986 and who resided in a foster home, as defined in s. 48.02 (6), or a treatment foster home, as defined in s. 48.02 (17q), for at least 2 years immediately prior to attaining age 18 and, for at least 2 years, received exceptional foster care or treatment foster care payments in order to avoid institutionalization, as provided under rules promulgated by the department, so that the individual may
live in a family home or other noninstitutional situation after attaining age 18. No county may use funds provided under this paragraph to replace funds previously used by the county for this purpose.

**SECTION 1120.** 46.481 (1) (b) of the statutes is renumbered 48.481 (1) (b).

**SECTION 1121.** 46.481 (3) of the statutes is renumbered 48.481 (3).

**SECTION 1122.** 46.485 (2g) (intro.) of the statutes is amended to read:

46.485 (2g) (intro.) From the appropriation account under s. 20.435 (4) (b) and (gp), the department may in each fiscal year transfer funds to the appropriation under s. 20.435 (7) (kb) for distribution under this section and from the appropriation account under s. 20.435 (7) (mb) the department may not distribute more than $1,330,500 in each fiscal year to applying counties in this state that meet all of the following requirements, as determined by the department:

**SECTION 1123.** 46.485 (3g) of the statutes is amended to read:

46.485 (3g) The amount that the department may transfer under sub. (2g) for counties may not exceed the estimated state share of payments under s. 49.45, 49.46 or 49.47.49.471 for mental health care and treatment that is provided in inpatient facilities for children with severe emotional disturbances.

**SECTION 1124.** 46.49 (title) of the statutes is amended to read:

46.49 (title) **Allocation of federal funds for community aids and child welfare.**

**SECTION 1125.** 46.49 (1) of the statutes is amended to read:

46.49 (1) Subject to s. 46.40 (1) (b) and (c), if the department receives unanticipated federal community mental health services block grant funds under 42 USC 300x to 300x–9, or federal prevention and treatment of substance abuse block grant funds under 42 USC 300x–21 to 300x–35, or foster care and adoption
assistance payments under 42 USC 670 to 679a and if the department proposes to allocate the unanticipated funds so that an allocation limit in s. 46.40 is exceeded, the department shall submit a plan for the proposed allocation to the secretary of administration. If the secretary of administration approves the plan, he or she shall submit it to the joint committee on finance. If the cochairpersons of the committee do not notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the plan within 14 working days after the date of his or her submittal, the department may implement the plan, notwithstanding any allocation limits under s. 46.40. If within 14 working days after the date of the submittal by the secretary of administration the cochairpersons of the committee notify him or her that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan, notwithstanding s. 46.40, only with the approval of the committee.

SECTION 1125m. 46.495 (1) (d) of the statutes is amended to read:

46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the department shall distribute the funding for social services, including funding for foster care, treatment foster care, or subsidized guardianship care of a child on whose behalf aid is received under s. 46.261, to county departments under ss. 46.215, 46.22, and 46.23 as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2), (8), and (9) (b). Each county’s required match for the distribution under s. 46.40 (2) shall be specified in a schedule established annually by the department of health and family services. Each county’s required match for the distribution under s. 46.40 (8) for a year equals 9.89% of the total of the county’s distributions under s. 46.40 (8) for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
juvenile delinquency-related services from its distribution for 1987. Each county’s
required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
that county’s amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching
funds may be from county tax levies, federal and state revenue sharing funds, or
private donations to the county that meet the requirements specified in s. 51.423 (5).
Private donations may not exceed 25% of the total county match. If the county match
is less than the amount required to generate the full amount of state and federal
funds distributed for this period, the decrease in the amount of state and federal
funds equals the difference between the required and the actual amount of county
matching funds.

SECTION 1126. 46.495 (1) (d) of the statutes, as affected by 2007 Wisconsin Act
.... (this act), is amended to read:

46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the
department shall distribute the funding for social services, including funding for
foster care, treatment foster care, or subsidized guardianship care of a child on whose
behalf aid is received under s. 46.261, to county departments under ss. 46.215, 46.22,
and 46.23 as provided under s. 46.40. County matching funds are required for the
distributions under s. 46.40 (2), (8), and (9) (b). Each county’s required match for the
distribution under s. 46.40 (2) shall be specified in a schedule established annually
by the department of health and family services. Each county’s required match for
the distribution under s. 46.40 (8) for a year equals 9.89% of the total of the county’s
distributions under s. 46.40 (8) for that year for which matching funds are required
plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
juvenile delinquency-related services from its distribution for 1987. Each county’s
required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
that county’s amounts described in s. 46.40 (9) (ar) (intro.) for that year. Matching funds may be from county tax levies, federal and state revenue sharing funds, or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1127. 46.51 (title) of the statutes is renumbered 48.986 (title).

SECTION 1128. 46.51 (1) of the statutes is renumbered 48.986 (1) and amended to read:

48.986 (1) From the amounts distributed under s. 46.40 48.563 (1) for services for children and families, the department shall distribute funds to eligible counties for services related to child abuse and neglect and to unborn child abuse, including child abuse and neglect and unborn child abuse prevention, investigation, and treatment.

SECTION 1129. 46.51 (3) of the statutes is renumbered 48.986 (3).

SECTION 1130. 46.51 (4) of the statutes is renumbered 48.986 (4).

SECTION 1131. 46.51 (5) of the statutes is renumbered 48.986 (5).

SECTION 1132. 46.513 of the statutes is repealed.

SECTION 1133. 46.515 (title) of the statutes is renumbered 48.983 (title).

SECTION 1134. 46.515 (1) (intro.) of the statutes is renumbered 48.983 (1) (intro.).

SECTION 1135. 46.515 (1) (a) of the statutes is repealed.
**SECTION 1136.** 46.515 (1) (b) (intro.) of the statutes is renumbered 48.983 (1) (b) (intro.).

**SECTION 1137.** 46.515 (1) (b) 1. (intro.) of the statutes is renumbered 48.983 (1) (b) 1. (intro.).

**SECTION 1138.** 46.515 (1) (b) 1. a. of the statutes is renumbered 48.983 (1) (b) 1. a.

**SECTION 1139.** 46.515 (1) (b) 1. b. of the statutes is renumbered 48.983 (1) (b) 1. b.

**SECTION 1140.** 46.515 (1) (b) 1. c. of the statutes is renumbered 48.983 (1) (b) 1. c. and amended to read:

48.983 (1) (b) 1. c. A family that includes a person who has contacted a county department, as defined in s. 48.02 (2g), or an Indian tribe that has been awarded a grant under this section or, in a county having a population of 500,000 or more that has been awarded a grant under this section, the department or a licensed child welfare agency under contract with the department requesting assistance to prevent abuse or neglect of a child in the person's family and with respect to which an individual responding to the request has determined that all of the conditions in subd. 2. exist.

**SECTION 1141.** 46.515 (1) (b) 2. of the statutes is renumbered 48.983 (1) (b) 2.

**SECTION 1142.** 46.515 (1) (c) of the statutes is repealed.

**SECTION 1143.** 46.515 (1) (cm) of the statutes is renumbered 48.983 (1) (cm).

**SECTION 1144.** 46.515 (1) (d) of the statutes is renumbered 48.983 (1) (d).

**SECTION 1145.** 46.515 (1) (e) of the statutes is renumbered 48.983 (1) (e).

**SECTION 1146.** 46.515 (1) (f) of the statutes is renumbered 48.983 (1) (f).

**SECTION 1147.** 46.515 (1) (g) of the statutes is renumbered 48.983 (1) (g).
SECTION 1148. 46.515 (1) (h) of the statutes is renumbered 48.983 (1) (h).

SECTION 1149. 46.515 (1) (i) of the statutes is renumbered 48.983 (1) (i).

SECTION 1150. 46.515 (1) (j) of the statutes is renumbered 48.983 (1) (j).

SECTION 1151. 46.515 (2) of the statutes is renumbered 48.983 (2) and amended to read:

48.983 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected by the department under sub. (5) to participate in the program under this section, the department shall award, from the appropriation under s. 20.435 (5) 20.437 (2) (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and (am). The minimum amount of a grant is $10,000. The department shall determine the amount of a grant awarded to a county, other than a county with a population of 500,000 or more, or Indian tribe in excess of the minimum amount based on the number of births that are funded by medical assistance under subch. IV of ch. 49 in that county or the reservation of that Indian tribe in proportion to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section. The department shall determine the amount of a grant awarded to a county with a population of 500,000 or more in excess of the minimum amount based on 60% of the number of births that are funded by medical assistance under subch. IV of ch. 49 in that county in proportion to the number of births that are funded by medical assistance under subch. IV of ch. 49 in all of the counties and the reservations of all of the Indian tribes to which grants are awarded under this section.

SECTION 1152. 46.515 (3) of the statutes is renumbered 48.983 (3).

SECTION 1153. 46.515 (4) of the statutes is renumbered 48.983 (4).
SECTION 1154. 46.515 (5) of the statutes is renumbered 48.983 (5) and amended to read:

48.983 (5) SELECTION OF COUNTIES AND INDIAN TRIBES. The department shall provide competitive application procedures for selecting counties and Indian tribes for participation in the program under this section. The department shall establish a method for ranking applicants for selection based on the quality of their applications. In ranking the applications submitted by counties, the department shall give favorable consideration to a county that has indicated under sub. (6) (d) 2. that it is willing to use a portion of any moneys distributed to the county under s. 46.45 48.565 (2) (a) to provide case management services to a medical assistance beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family that is a case and that has explained under sub. (6) (d) 2. how the county plans to use that portion of those moneys to promote the provision of those services for the case by using a wraparound process so as to provide those services in a flexible, comprehensive and individualized manner in order to reduce the necessity for court-ordered services. The department shall also provide application requirements and procedures for the renewal of a grant awarded under this section. The application procedures and the renewal application requirements and procedures shall be clear and understandable to the applicants. The department need not promulgate as rules under ch. 227 the application procedures, the renewal application requirements or procedures or the method for ranking applicants established under this subsection.

SECTION 1155. 46.515 (6) (intro.) of the statutes is renumbered 48.983 (6) (intro.).

SECTION 1156. 46.515 (6) (a) of the statutes is renumbered 48.983 (6) (a).
SECTION 1157. 46.515 (6) (b) of the statutes is renumbered 48.983 (6) (b).

SECTION 1158. 46.515 (6) (c) of the statutes is renumbered 48.983 (6) (c).

SECTION 1159. 46.515 (6) (d) (title) of the statutes is renumbered 48.983 (6) (d) (title).

SECTION 1160. 46.515 (6) (d) 1. of the statutes is renumbered 48.983 (6) (d) 1.

SECTION 1161. 46.515 (6) (d) 2. of the statutes is renumbered 48.983 (6) (d) 2.

and amended to read:

48.983 (6) (d) 2. The applicant indicates in the grant application whether the applicant is willing to use a portion of any moneys distributed to the applicant under s. 46.45 48.565 (2) (a) to provide case management services to a medical assistance beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family that is a case. If the applicant is so willing, the applicant shall explain how the applicant plans to use that portion of those moneys to promote the provision of those services for the case by using a wraparound process so as to provide those services in a flexible, comprehensive and individualized manner in order to reduce the necessity for court-ordered services.

SECTION 1162. 46.515 (6) (e) of the statutes is renumbered 48.983 (6) (e).

SECTION 1163. 46.515 (6g) of the statutes is renumbered 48.983 (6g).

SECTION 1164. 46.515 (6m) of the statutes is renumbered 48.983 (6m) and amended to read:

48.983 (6m) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT.

If a person who is providing services under a home visitation program under sub. (4) (b) 1. determines that he or she is required or permitted to make a report under s. 48.981 (2) about a child in a family to which the person is providing those services, the person shall, prior to making the report under s. 48.981 (2), make a reasonable
effort to notify the child’s parent that a report under s. 48.981 (2) will be made and
to encourage the parent to contact a county department under s. 46.22 or 46.23 to
request assistance. The notification requirements under this subsection do not affect
the reporting requirements under s. 48.981 (2).

SECTION 1165. 46.515 (6r) of the statutes is renumbered 48.983 (6r).

SECTION 1166. 46.515 (7) of the statutes is renumbered 48.983 (7).

SECTION 1167. 46.515 (8) of the statutes is renumbered 48.983 (8).

SECTION 1167n. 46.54 of the statutes is amended to read:

46.54 Consumer and family self-help and peer-support programs.
From the appropriation under s. 20.435 (7) (md), the department shall distribute more than $874,000 in each fiscal year to increase support for mental health family support projects, employment projects operated by consumers of mental health services, mental health crisis intervention and drop-in projects, and public mental health information activities.

SECTION 1168. 46.75 (title) of the statutes is renumbered 49.171 (title).

SECTION 1169. 46.75 (1) of the statutes is renumbered 49.171 (1).

SECTION 1170. 46.75 (2) (title) of the statutes is renumbered 49.171 (2) (title).

SECTION 1171. 46.75 (2) (a) of the statutes is renumbered 49.171 (2) (a) and amended to read:

49.171 (2) (a) From the appropriation under s. 20.435 (5) 20.437 (2) (dn), the department shall award grants to agencies to operate food distribution programs that qualify for participation in the emergency food assistance program under P.L. 98–8, as amended.

SECTION 1172. 46.75 (2) (b) of the statutes is renumbered 49.171 (2) (b).

SECTION 1173. 46.75 (3) of the statutes is renumbered 49.171 (3).
SECTION 1174. 46.76 (intro.) of the statutes is renumbered 49.172 (intro.).

SECTION 1175. 46.76 (1) of the statutes is renumbered 49.172 (1).

SECTION 1176. 46.76 (2) of the statutes is renumbered 49.172 (2).

SECTION 1176d. 46.76 (4) of the statutes is renumbered 49.172 (4).

SECTION 1176f. 46.76 (5) of the statutes is renumbered 49.172 (5).

SECTION 1179. 46.766 of the statutes is repealed.

SECTION 1180. 46.77 of the statutes is renumbered 49.1715 and amended to read:

49.1715 Food distribution administration. From the appropriation under s. 20.435 (5) 20.437 (2) (dn), the department shall allocate funds to eligible recipient agencies, as defined in the emergency food assistance act, P.L. 98–8, section 201A, as amended, for the storage, transportation, and distribution of commodities provided under the hunger prevention act of 1988, P.L. 100–435, as amended.

SECTION 1181. 46.95 (title) of the statutes is renumbered 49.165 (title).

SECTION 1182. 46.95 (1) of the statutes is renumbered 49.165 (1).

SECTION 1183. 46.95 (2) (title) of the statutes is renumbered 49.165 (2) (title).

SECTION 1185. 46.95 (2) (a) of the statutes is renumbered 49.165 (2) (a) and amended to read:

49.165 (2) (a) The secretary shall make grants from the appropriations accounted under s. 20.435 (3) 20.437 (1) (cd) and (hh) to organizations for the provision of any of the services specified in sub. (1) (d). Grants may be made to organizations which have provided those domestic abuse services in the past or to organizations which propose to provide those services in the future. No grant may be made to fund services for child or unborn child abuse or abuse of elderly persons.

SECTION 1186. 46.95 (2) (b) of the statutes is renumbered 49.165 (2) (b).
SECTION 1187. 46.95 (2) (c) of the statutes is renumbered 49.165 (2) (c).

SECTION 1188. 46.95 (2) (d) of the statutes is renumbered 49.165 (2) (d).

SECTION 1189. 46.95 (2) (e) of the statutes is renumbered 49.165 (2) (e).

SECTION 1190. 46.95 (2) (f) (intro.) of the statutes is renumbered 49.165 (2) (f) (intro.) and amended to read:

49.165 (2) (f) (intro.) From the appropriations under s. 20.435 (3) 20.437 (1) (cd) and (hh), the department shall do all of the following:

SECTION 1191. 46.95 (2) (f) 1. of the statutes is renumbered 49.165 (2) (f) 1.

SECTION 1192. 46.95 (2) (f) 5. of the statutes is renumbered 49.165 (2) (f) 5.

SECTION 1193. 46.95 (2) (f) 6. of the statutes is renumbered 49.165 (2) (f) 6.

SECTION 1194. 46.95 (2) (f) 7. of the statutes is renumbered 49.165 (2) (f) 7.

SECTION 1195. 46.95 (2) (f) 8. of the statutes is renumbered 49.165 (2) (f) 8.

SECTION 1196. 46.95 (2) (f) 9. of the statutes is renumbered 49.165 (2) (f) 9.

SECTION 1197. 46.95 (2) (f) 10. of the statutes is renumbered 49.165 (2) (f) 10.

SECTION 1198. 46.95 (2m) of the statutes is renumbered 49.165 (2m).

SECTION 1199. 46.95 (3) of the statutes is renumbered 49.165 (3).

SECTION 1200. 46.95 (4) of the statutes is renumbered 49.165 (4).

SECTION 1201. 46.976 of the statutes is repealed.

SECTION 1202. 46.985 (2) (a) 2. of the statutes is repealed.

SECTION 1203. 46.985 (2) (f) of the statutes is created to read:

46.985 (2) (f) Establish criteria for priority of services that take into account urgency of need, statewide consistency, developmental impact on eligible children, and other factors, so as to ensure that available funds are used consistently and effectively.

SECTION 1204. 46.99 (title) of the statutes is renumbered 48.545 (title).
**SECTION 1205.** 46.99 (1) of the statutes is renumbered 48.545 (1).

**SECTION 1206.** 46.99 (2) (title) of the statutes is renumbered 48.545 (2) (title).

**SECTION 1207.** 46.99 (2) (a) (intro.) of the statutes is renumbered 48.545 (2) (a) (intro.) and amended to read:

48.545 (2) (a) (intro.) From the appropriations under s. 20.435 (3) and (nL), the department shall distribute $2,125,200 in each fiscal year to applying nonprofit corporations and public agencies operating in a county having a population of 500,000 or more and $1,199,300 in each fiscal year to applying county departments under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county having a population of 500,000 or more to provide programs to accomplish all of the following:

**SECTION 1208.** 46.99 (2) (a) 1. of the statutes is renumbered 48.545 (2) (a) 1.

**SECTION 1209.** 46.99 (2) (a) 2. of the statutes is renumbered 48.545 (2) (a) 2.

**SECTION 1210.** 46.99 (2) (a) 3. of the statutes is renumbered 48.545 (2) (a) 3.

**SECTION 1211.** 46.99 (2) (a) 4. of the statutes is renumbered 48.545 (2) (a) 4.

**SECTION 1212.** 46.99 (2) (a) 5. of the statutes is renumbered 48.545 (2) (a) 5.

**SECTION 1213.** 46.99 (2) (b) of the statutes is renumbered 48.545 (2) (b).

**SECTION 1214.** 46.99 (3) of the statutes is renumbered 48.545 (3).

**SECTION 1215.** 46.995 (title) of the statutes is renumbered 48.487 (title).

**SECTION 1216.** 46.995 (1m) of the statutes is renumbered 48.487 (1m) and amended to read:

48.487 (1m) **TRIBAL ADOLESCENT SERVICES ALLOCATION.** From the appropriation account under s. 20.435 (3) and (eg), the department may allocate $210,000 in each fiscal year to provide the grants specified in subs. (2), (3) (b), and (4m) (b).

**SECTION 1217.** 46.995 (2) of the statutes is renumbered 48.487 (2).
SECTION 1218. 46.995 (3) of the statutes is renumbered 48.487 (3).

SECTION 1219. 46.995 (4m) of the statutes is renumbered 48.487 (4m).

SECTION 1220. 46.997 (title) of the statutes is renumbered 48.647 (title).

SECTION 1221. 46.997 (1) of the statutes is renumbered 48.647 (1).

SECTION 1222. 46.997 (2) (title) of the statutes is renumbered 48.647 (2) (title).

SECTION 1223. 46.997 (2) (a) of the statutes is renumbered 48.647 (2) (a) and amended to read:

48.647 (2) (a) From the appropriation under s. 20.435 (3) 20.437 (1) (f), the department shall distribute not more than $0 in each fiscal year as grants to private agencies to provide 2nd−chance homes and related services to eligible persons who are placed under s. 48.63 (5) in 2nd−chance homes operated by those private agencies. A private agency that is awarded a grant under this paragraph may use the amount awarded under the grant to provide care and maintenance to eligible persons who are placed under s. 48.63 (5) in a 2nd−chance home operated by the private agency; provide services, including the services specified in sub. (3), to eligible persons who currently are or formerly were placed under s. 48.63 (5) in the 2nd−chance home, to the children and families of those eligible persons, and to the noncustodial parents of the children of those eligible persons; and, in the first year of the grant period, pay for the start−up costs, other than capital costs, of the private agency’s program funded under this paragraph.

SECTION 1224. 46.997 (2) (b) of the statutes is renumbered 48.647 (2) (b) and amended to read:

48.647 (2) (b) The department of health and family services shall award the grants under par. (a) on a competitive basis and according to request−for−proposal procedures that the department of health and family services shall prescribe in
consultation with the department of workforce development, local health
departments, as defined in s. 250.01 (4), and other providers of services to eligible
persons. Those request−for−proposal procedures shall include a requirement that
a private agency that applies for a grant under par. (a) include in its grant application
proof that the private agency has the cultural competency to provide services under
the grant to persons and families in the various cultures in the private agency’s
target population and that cultural competency is incorporated in the private
agency’s policies, administration, and practices. In awarding the grants under par.
(a), the department of health and family services shall consider the need for those
grants to be distributed both on a statewide basis and in the areas of the state with
the greatest need for 2nd−chance homes and the need to provide placements for
children who are voluntarily placed in a 2nd−chance home as well as for children who
are placed in a 2nd−chance home by court order.

**SECTION 1225.** 46.997 (2) (c) of the statutes is renumbered 48.647 (2) (c).

**SECTION 1226.** 46.997 (2) (d) of the statutes is renumbered 48.647 (2) (d).

**SECTION 1227.** 46.997 (2) (e) of the statutes is renumbered 48.647 (2) (e).

**SECTION 1228.** 46.997 (3) of the statutes is renumbered 48.647 (3).

**SECTION 1229.** 46.997 (4) of the statutes is renumbered 48.647 (4) and amended
to read:

48.647 (4) Evaluation. From the appropriation under s. 20.435 (3) 20.437 (1)
(f), the department shall conduct or shall select an evaluator to conduct an evaluation
of the grant program under this section and, by June 1 of the 3rd calendar year
beginning after the year in which the first grant under this section is awarded, shall
submit a report on that evaluation to the governor and to the appropriate standing
committees under s. 13.172 (3). The evaluation shall measure the economic
self-sufficiency, parenting skills, independent living skills, and life choice
decision-making skills of the eligible persons who received services under the
program and any other criteria that the department determines to be appropriate for
evaluation.

SECTION 1230. 48.01 (1) (h) of the statutes is created to read:

48.01 (1) (h) To provide a just and humane program of services to nonmarital
children, children and unborn children in need of protection or services, and the
expectant mothers of those unborn children; to avoid duplication and waste of effort
and money on the part of public and private agencies; and to coordinate and integrate
a program of services to children and families.

SECTION 1231. 48.02 (4) of the statutes is amended to read:

48.02 (4) “Department” means the department of health and family services
children and families.

SECTION 1232. 48.02 (16) of the statutes is created to read:

48.02 (16) “Secretary” means the secretary of children and families.

SECTION 1233. 48.06 (4) of the statutes is amended to read:

48.06 (4) STATE AID. State aid to any county for court services under this section
shall be at the same net effective rate that each county is reimbursed for county
administration under s. 46.495 48.569. Counties having a population of less than
500,000 may use funds received under s. 46.495 48.569 (1) (d), including county or
federal revenue sharing funds allocated to match funds received under s. 46.495
48.569 (1) (d), for the cost of providing court attached intake services in amounts not
to exceed 50% of the cost of providing court attached intake services or $30,000 per
county per calendar year, whichever is less.
SECTION 1234. 48.21 (5) (b) 1. of the statutes is renumbered 48.21 (5) (b) 1. a. and amended to read:

48.21 (5) (b) 1. a. A finding that continued placement of the child in his or her home would be contrary to the welfare of the child. Unless the judge or circuit court commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, the order shall in addition include a.

b. A finding as to whether the person who took the child into custody and the intake worker have made reasonable efforts to prevent the removal of the child from the home, while assuring that the child’s health and safety are the paramount concerns, and unless the judge or circuit court commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

c. A finding as to whether the person who took the child into custody and the intake worker have made reasonable efforts to make it possible for the child to return safely home or, if

1m. If for good cause shown sufficient information is not available for the judge or circuit court commissioner to make a finding as to whether those reasonable efforts were made to prevent the removal of the child from the home, while assuring that the child’s health and safety are the paramount concerns, a finding as to whether those reasonable efforts were made to make it possible for the child to return safely home and an order for the county department, department, in a county having a population of 500,000 or more, or agency primarily responsible for providing services to the child under the custody order to file with the court sufficient information for the judge or circuit court commissioner to make a finding as to whether those reasonable efforts were made to prevent the removal of the child from
the home by no later than 5 days, excluding Saturdays, Sundays, and legal holidays, after the date of on which the order is granted.

**SECTION 1235.** 48.21 (5) (b) 1. d. of the statutes is created to read:

> 48.21 (5) (b) 1. d. If the child is under the supervision of the county department or, in a county having a population of 500,000 or more, the department, an order ordering the child into the placement and care responsibility of the county department or department as required under 42 USC 672 (a) (2) and assigning the county department or department primary responsibility for providing services to the child.

**SECTION 1236.** 48.21 (5) (c) of the statutes is amended to read:

> 48.21 (5) (c) The judge or circuit court commissioner shall make the findings specified in par. (b) 1., 1m., and 3. on a case-by-case basis based on circumstances specific to the child and shall document or reference the specific information on which those findings are based in the custody order. A custody order that merely references par. (b) 1., 1m., or 3. without documenting or referencing that specific information in the custody order or an amended custody order that retroactively corrects an earlier custody order that does not comply with this paragraph is not sufficient to comply with this paragraph.

**SECTION 1237.** 48.235 (4) (b) of the statutes is amended to read:

> 48.235 (4) (b) The court shall order the agency identified under s. 48.355 (2) (b) 1., 48.33 (1) (c) as primarily responsible for the provision of services to notify the guardian ad litem, if any, regarding actions to be taken under par. (a).

**SECTION 1238.** 48.235 (4m) (b) of the statutes is amended to read:
48.235 (4m) (b) The court shall order the agency identified under s. 48.355 (2)
(b) 1. 48.33 (1) (c) as primarily responsible for the provision of services to notify the
guardian ad litem, if any, regarding actions to be taken under par. (a).

SECTION 1239. 48.275 (2) (d) 2. of the statutes is amended to read:
48.275 (2) (d) 2. In a county having a population of 500,000 or more,
reimbursement payments shall be made to the clerk of courts of the county where the
proceedings took place. Each payment shall be transmitted to the secretary of
administration, who shall deposit the amount paid in the general fund and credit
25% of the amount paid to the appropriation account under s. 20.435 (3) 20.437 (1)
(gx) and the remainder to the appropriation account under s. 20.550 (1) (L).

SECTION 1240. 48.30 (6) (b) of the statutes is amended to read:
48.30 (6) (b) If it appears to the court that disposition of the case may include
placement of the child outside the child’s home, the court shall order the child’s
parent to provide a statement of income, assets, debts, and living expenses to the
court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled
date of the dispositional hearing or as otherwise ordered by the court. The clerk of
court shall provide, without charge, to any parent ordered to provide a statement of
income, assets, debts, and living expenses a document setting forth the percentage
standard established by the department of workforce development under s. 49.22 (9)
and the manner of its application established by the department of health and family
services under s. 46.247 49.345 (14) (g) and listing the factors that a court may
consider under s. 46.10 49.345 (14) (c).

SECTION 1241. 48.31 (7) (b) of the statutes is amended to read:
48.31 (7) (b) If it appears to the court that disposition of the case may include
placement of the child outside the child’s home, the court shall order the child’s
parent to provide a statement of income, assets, debts, and living expenses to the
court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled
date of the dispositional hearing or as otherwise ordered by the court. The clerk of
court shall provide, without charge, to any parent ordered to provide a statement of
income, assets, debts, and living expenses a document setting forth the percentage
standard established by the department of workforce development under s. 49.22 (9)
and the manner of its application established by the department of health and family
services under s. 46.247 49.345 (14) (g) and listing the factors that a court may
consider under s. 46.10 49.345 (14) (c).

**SECTION 1242.** 48.315 (2m) (a) 1. of the statutes is amended to read:

48.315 (2m) (a) 1. The court making an initial finding under s. 48.21 (5) (b) 1.
or 1m., 48.355 (2) (b) 6., or 48.357 (2v) (a) 1. that reasonable efforts have been made
to prevent the removal of the child from the home, while assuring that the child’s
health and safety are the paramount concerns, or an initial finding under s. 48.21
(5) (b) 3., 48.355 (2) (b) 6r., or 48.357 (2v) (a) 3. that those efforts were not required
to be made because a circumstance specified in s. 48.355 (2d) (b) 1. to 5. applies, more
than 60 days after the date on which the child was removed from the home.

**SECTION 1243.** 48.32 (1) (b) 1. of the statutes is renumbered 48.32 (1) (b) 1.
(intro.) and amended to read:

48.32 (1) (b) 1. (intro.) If at the time the consent decree is entered into the child
is placed outside the home under a voluntary agreement under s. 48.63 or is
otherwise living outside the home without a court order and if the consent decree
maintains the child in that placement or other living arrangement, the consent
decree shall include all of the following:
SECTION 1243

a. A finding that placement of the child in his or her home would be contrary to the welfare of the child.

b. A finding as to whether the county department, the department, in a county having a population of 500,000 or more, or the agency primarily responsible for providing services to the child has made reasonable efforts to prevent the removal of the child from the home, while assuring that the child's health and safety are the paramount concerns, unless the judge or circuit court commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

c. A finding as to whether the county department, department, or agency has made reasonable efforts to achieve the goal of the child's permanency plan, unless return of the child to the home is the goal of the permanency plan and the judge or circuit court commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

SECTION 1244. 48.32 (1) (b) 1. d. of the statutes is created to read:

48.32 (1) (b) 1. d. If the child's placement or other living arrangement is under the supervision of the county department or, in a county having a population of 500,000 or more, the department, an order ordering the child into the placement and care responsibility of the county department or department as required under 42 USC 672 (a) (2) and assigning the county department or department primary responsibility for providing services to the child.

SECTION 1245. 48.33 (4m) (intro.) of the statutes is amended to read:

48.33 (4m) SUPPORT RECOMMENDATIONS; INFORMATION TO PARENTS. (intro.) In making a recommendation for an amount of child support under sub. (4), the agency shall consider the factors that the court considers under s. 46.10 49.345 (14) (c) for
deviation from the percentage standard. Prior to the dispositional hearing under s. 48.335, the agency shall provide the child’s parent with all of the following:

**SECTION 1246.** 48.33 (4m) (b) of the statutes is amended to read:

48.33 (4m) (b) A written explanation of how the parent may request that the court modify the amount of child support under s. 46.10 or 49.345 (14) (c).

**SECTION 1247.** 48.335 (3g) of the statutes is renumbered 48.335 (3g) (intro.) and amended to read:

48.335 (3g) (intro.) At hearings under this section, if the agency, as defined in s. 48.38 (1) (a), is recommending placement of the child in a foster home, treatment foster home, group home, or residential care center for children and youth or in the home of a relative other than a parent, the agency shall present as evidence specific information showing that all of the following:

(a) That continued placement of the child in his or her home would be contrary to the welfare of the child, specific information showing that.

(b) That the county department, the department, in a county having a population of 500,000 or more, or the agency primarily responsible for providing services to the child has made reasonable efforts to prevent the removal of the child from the home, while assuring that the child’s health and safety are the paramount concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, and specific information showing that.

(c) That the county department, department, or agency has made reasonable efforts to achieve the goal of the child’s permanency plan, unless return of the child to the home is the goal of the permanency plan and any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

**SECTION 1248.** 48.355 (2) (b) 1. of the statutes is amended to read:
48.355 (2) (b) 1. The specific services or continuum of services to be provided to the child and family, to the child expectant mother and family, or to the adult expectant mother, the identity of the agencies which are to be primarily responsible for the provision of the services ordered by the judge, the identity of the person or agency who will provide case management or coordination of services, if any, and, if custody of the child is to be transferred to effect the treatment plan, the identity of the legal custodian.

SECTION 1249. 48.355 (2) (b) 6g. of the statutes is created to read:

48.355 (2) (b) 6g. If the child is placed outside the home under the supervision of the county department or, in a county having a population of 500,000 or more, the department, an order ordering the child into the placement and care responsibility of the county department or department as required under 42 USC 672 (a) (2) and assigning the county department or department primary responsibility for providing services to the child.

SECTION 1250. 48.357 (1) (am) 3. of the statutes is amended to read:

48.357 (1) (am) 3. If the court changes the child’s placement from a placement outside the home to another placement outside the home, the change in placement order shall contain one of the statements the applicable order specified in sub. (2v) (a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

SECTION 1251. 48.357 (1) (c) 3. of the statutes is amended to read:

48.357 (1) (c) 3. If the court changes the child’s placement from a placement in the child’s home to a placement outside the child’s home, the change in placement order shall contain the findings specified in sub. (2v) (a) 1., one of the statements the applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances
specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the
determination specified in sub. (2v) (a) 3.

**SECTION 1252.** 48.357 (2m) (c) of the statutes is amended to read:

48.357 (2m) (c) If the court changes the child’s placement from a placement in
the child’s home to a placement outside the child’s home, the change in placement
order shall contain the findings specified in sub. (2v) (a) 1., one of the statements the
applicable order specified in sub. (2v) (a) 1m., the applicable statement specified in
sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances
specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the
determination specified in sub. (2v) (a) 3. If the court changes the child’s placement
from a placement outside the home to another placement outside the home, the
change in placement order shall contain the applicable order specified in sub. (2v)
(a) 1m. and the applicable statement specified in sub. (2v) (a) 2.

**SECTION 1253.** 48.357 (2v) (a) 1m. of the statutes is created to read:

48.357 (2v) (a) 1m. If the change in placement order changes the placement of
a child who is under the supervision of the county department or, in a county having
a population of 500,000 or more, the department to a placement outside the child’s
home, whether from a placement in the home or from another placement outside the
home, an order ordering the child into, or to be continued in, the placement and care
responsibility of the county department or department as required under 42 USC
672 (a) (2) and assigning the county department or department primary
responsibility, or continued primary responsibility, for providing services to the
child.

**SECTION 1254.** 48.357 (5m) (a) of the statutes is amended to read:
48.357 (5m) (a) If a proposed change in placement changes a child’s placement from a placement in the child’s home to a placement outside the child’s home, the court shall order the child’s parent to provide a statement of income, assets, debts and living expenses to the court or the person or agency primarily responsible for implementing the dispositional order by a date specified by the court. The clerk of court shall provide, without charge, to any parent ordered to provide a statement of income, assets, debts, and living expenses a document setting forth the percentage standard established by the department of workforce development under s. 49.22 (9) and the manner of its application established by the department of health and family services under s. 46.247 49.345 (14) (g) and listing the factors that a court may consider under s. 46.10 49.345 (14) (c). If the child is placed outside the child’s home, the court shall determine the liability of the parent in the manner provided in s. 46.10 49.345 (14).

SECTION 1255. 48.36 (1) (a) of the statutes is amended to read:

48.36 (1) (a) If legal custody is transferred from the parent or guardian or the court otherwise designates an alternative placement for the child by a disposition made under s. 48.345 or by a change in placement under s. 48.357, the duty of the parent or guardian or, in the case of a transfer of guardianship and custody under s. 48.839 (4), the duty of the former guardian to provide support shall continue even though the legal custodian or the placement designee may provide the support. A copy of the order transferring custody or designating alternative placement for the child shall be submitted to the agency or person receiving custody or placement and the agency or person may apply to the court for an order to compel the parent or guardian to provide the support. Support payments for residential services, when purchased or otherwise funded or provided by the department or a county
SECTION 1255. Support payments for residential services, when purchased or otherwise funded by the department of health and family services or a county department under s. 51.42 or 51.437, shall be determined under s. 46.10 (14).

SECTION 1256. 48.36 (1) (b) of the statutes is amended to read:

48.36 (1) (b) In determining the amount of support under par. (a), the court may consider all relevant financial information or other information relevant to the parent’s earning capacity, including information reported under s. 49.22 (2m) to the department of workforce development or the county child support agency under s. 59.53 (5). If the court has insufficient information with which to determine the amount of support, the court shall order the child’s parent to furnish a statement of income, assets, debts, and living expenses, if the parent has not already done so, to the court within 10 days after the court’s order transferring custody or designating an alternative placement is entered or at such other time as ordered by the court.

SECTION 1257. 48.36 (2) of the statutes is amended to read:

48.36 (2) If an expectant mother or a child whose legal custody has not been taken from a parent or guardian is given educational and social services, or medical, psychological or psychiatric treatment by order of the court, the cost of those services or that treatment, if ordered by the court, shall be a charge upon the county in a county having a population of less than 500,000 or the department in a county having a population of 500,000 or more. This section does not prevent recovery of reasonable contribution toward the costs from the parent or guardian of the child or from an adult expectant mother as the court may order based on the ability of the parent, guardian or adult expectant mother to pay. This subsection shall be subject to s. 46.03 (18) 49.32 (1).
SECTION 1258. 48.361 (2) (c) of the statutes is amended to read:

48.361 (2) (c) Payment for alcohol and other drug abuse services by a county department under this section does not prohibit the county department from contracting with another county department or approved treatment facility for the provision of alcohol and other drug abuse services. Payment by the county under this section does not prevent recovery of reasonable contribution toward the costs of the court-ordered alcohol and other drug abuse services from the parent or adult expectant mother which is based upon the ability of the parent or adult expectant mother to pay. This subsection is subject to s. 46.03 (18) 49.32 (1).

SECTION 1259. 48.362 (4) (c) of the statutes is amended to read:

48.362 (4) (c) A county department that pays for court-ordered special treatment or care under par. (a) may recover from the parent or adult expectant mother, based on the ability of the parent or adult expectant mother to pay, a reasonable contribution toward the costs of the court-ordered special treatment or care. This paragraph is subject to s. 46.03 (18) 49.32 (1).

SECTION 1260. 48.363 (1) (c) of the statutes is amended to read:

48.363 (1) (c) If the proposed revision is for a change in the amount of child support to be paid by a parent, the court shall order the child’s parent to provide a statement of income, assets, debts and living expenses to the court and the person or agency primarily responsible for implementing the dispositional order by a date specified by the court. The clerk of court shall provide, without charge, to any parent ordered to provide a statement of income, assets, debts, and living expenses a document setting forth the percentage standard established by the department of workforce development under s. 49.22 (9) and the manner of its application established by the department of health and family services under s. 46.247 49.345.
(14) (g) and listing the factors that a court may consider under s. 46.10 49.345 (14) (c).

SECTION 1261. 48.363 (2) of the statutes is amended to read:

48.363 (2) If the court revises a dispositional order with respect to the amount of child support to be paid by a parent for the care and maintenance of the parent’s minor child who has been placed by a court order under this chapter in a residential, nonmedical facility, the court shall determine the liability of the parent in the manner provided in s. 46.10 49.345 (14).

SECTION 1262. 48.38 (2) (intro.) of the statutes is amended to read:

48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3), for each child living in a foster home, treatment foster home, group home, residential care center for children and youth, juvenile detention facility, or shelter care facility, the agency that placed the child or arranged the placement or the agency assigned primary responsibility for providing services to the child under s. 48.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following conditions exists, and, for each child living in the home of a relative other than a parent, that agency shall prepare a written permanency plan, if any of the conditions specified in pars. (a) to (e) exists:

SECTION 1263. 48.417 (2) (c) of the statutes is amended to read:

48.417 (2) (c) The agency primarily responsible for providing services to the child and the family under a court order, if required under s. 48.355 (2) (b) 6. to make reasonable efforts to make it possible for the child to return safely to his or her home, has not provided to the family of the child, consistent with the time period in the child’s permanency plan, the services necessary for the safe return of the child to his or her home.
**SECTION 1264.** 48.425 (1) (c) of the statutes is amended to read:

48.425 (1) (c) If the child has been previously adjudicated to be in need of
protection and services, a statement of the steps the agency or person responsible for
provision of services has taken to remedy the conditions responsible for court
intervention and the parent’s response to and cooperation with these services. If the
child has been removed from the home, the report shall also include a
statement of the reasons why the child cannot be returned safely to the family, and
the steps the person or agency has taken to effect this return. If a permanency plan
has previously been prepared for the child, the report shall also include specific
information showing that the agency primarily responsible for providing services to
the child has made reasonable efforts to achieve the goal of the child’s permanency
plan.

**SECTION 1265.** 48.43 (1) (am) of the statutes is created to read:

48.43 (1) (am) If the department or a county department receives guardianship
or custody of the child under par. (a), an order ordering the child into the placement
and care responsibility of the department or county department as required under
42 USC 672 (a) (2) and assigning the department or county department primary
responsibility for providing services to the child.

**SECTION 1266.** 48.43 (1) (cm) of the statutes is created to read:

48.43 (1) (cm) If a permanency plan has previously been prepared for the child,
a finding as to whether the agency primarily responsible for providing services to the
child has made reasonable efforts to achieve the goal of the child’s permanency plan.
The court shall make the findings specified in this paragraph on a case−by−case basis
based on circumstances specific to the child and shall document or reference the
specific information on which those findings are based in the order. An order that
merely references this paragraph without documenting or referencing that specific
information in the order or an amended order that retroactively corrects an earlier
order that does not comply with this paragraph is not sufficient to comply with this
paragraph.

SECTION 1267. Subchapter XI (title) of chapter 48 [precedes 48.468] of the
statutes is amended to read:

CHAPTER 48
SUBCHAPTER XI
PURPOSE, DUTIES, AND AUTHORITY
OF DEPARTMENT

SECTION 1267g. 48.468 of the statutes is created to read:

48.468 Purpose of department. The purpose of the department is to focus
on integrating the child welfare, child care, and child support services provided in
this state and the services provided under the Wisconsin Works program and on
increasing collaboration and efficiency in providing those services.

SECTION 1268. 48.47 (intro.) of the statutes is created to read:

48.47 Duties of department. (intro.) The department shall do all of the
following:

SECTION 1269. 48.47 (3) of the statutes is created to read:

48.47 (3) Trustee duty. When ordered by the court, act as trustee of funds paid
for the support of any child if appointed by the court or a circuit court commissioner
under s. 767.82 (7).

SECTION 1270. 48.47 (4) of the statutes is created to read:

48.47 (4) Education and prevention. Develop and maintain education and
prevention programs that the department considers to be proper.
SECTION 1271. 48.47 (7) (title) of the statutes is created to read:

48.47 (7) (title) CHILDREN AND YOUTH.

SECTION 1272. 48.48 (2b) of the statutes is created to read:

48.48 (2b) To accept gifts, grants, or donations of money or of property from private sources to be administered by the department for the execution of its functions. All moneys so received shall be paid into the general fund and may be appropriated from that fund as provided in s. 20.437 (1) (i).

SECTION 1273. 48.48 (4) of the statutes is created to read:

48.48 (4) In order to discharge more effectively its responsibilities under this chapter and other relevant provisions of the statutes, to study causes and methods of prevention and treatment of problems among children and families and related social problems. The department may utilize all powers provided by the statutes, including the authority to accept grants of money or property from federal, state, or private sources, and enlist the cooperation of other appropriate agencies and state departments.

SECTION 1274. 48.48 (12) (a) of the statutes is amended to read:

48.48 (12) (a) To enter into an agreement to assist in the cost of care of a child after legal adoption when the department has determined that such assistance is necessary to assure the child’s adoption. Agreements under this paragraph shall be made in accordance with s. 48.975. Payments shall be made from the appropriation under s. 20.435 (3) 20.437 (1) (dd).

SECTION 1275. 48.48 (17) (am) of the statutes is created to read:

48.48 (17) (am) The requirement of statewide uniformity with respect to the organization and governance of human services does not apply to the administration of child welfare services under par. (a).
SECTION 1276. 48.48 (17) (c) (intro.) of the statutes is amended to read:

48.48 (17) (c) (intro.) From the appropriations under s. 20.435 (3) 20.437 (1) (cx), (gx), (kw), and (mx), the department may provide funding for the maintenance of any child who meets all of the following criteria:

SECTION 1277. 48.48 (17) (c) 3. of the statutes is amended to read:

48.48 (17) (c) 3. Received funding under s. 20.437 (1) (cx) or 48.569 (1) (d) or under s. 20.435 (3) (cx), 2005 stats., or 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday.

SECTION 1278. 48.48 (17) (d) of the statutes is amended to read:

48.48 (17) (d) The funding provided for the maintenance of a child under par. (c) shall be in an amount equal to that which the child would receive under s. 20.435 (3) 20.437 (1) (cx), (gx), (kw), and (mx) or 46.495 48.569 (1) (d) if the child were 17 years of age.

SECTION 1279. 48.48 (18) of the statutes is created to read:

48.48 (18) To contract with public or voluntary agencies or others for the following purposes:

(a) To purchase in full or in part care and services that the department is authorized by any statute to provide as an alternative to providing that care and those services itself.

(b) To purchase or provide in full or in part the care and services that county agencies may provide or purchase under any statute and to sell to county agencies such portions of that care and those services as the county agency may desire to purchase.

(d) To sell services, under contract, that the department is authorized to provide by statute, to any federally recognized tribal governing body.
SECTION 1283. 48.547 (2) of the statutes is amended to read:

48.547 (2) DEPARTMENT RESPONSIBILITIES. Within the availability of funding under s. 20.435 (7) 20.437 (1) (mb) that is available for the program, the department shall select counties to participate in the program. Unless a county department of human services has been established under s. 46.23 in the county that is seeking to implement a program, the application submitted to the department shall be a joint application by the county department that provides social services and the county department established under s. 51.42 or 51.437. The department shall select counties in accordance with the request for proposal procedures established by the department. The department shall give a preference to county applications that include a plan for case management.

SECTION 1284g. 48.55 (1) of the statutes is amended to read:

48.55 (1) The department shall establish a state adoption information exchange for the purpose of finding adoptive homes for children with special needs who do not have permanent homes and a state adoption center for the purposes of increasing public knowledge of adoption and promoting to adolescents and pregnant women the availability of adoption services. From the appropriation under s. 20.435 (3) 20.437 (1) (dg), the department may provide not more than $163,700 in fiscal year 2001−02 and not more than $171,300 in each fiscal year thereafter as grants to individuals and private agencies to provide adoption information exchange services and to operate the state adoption center.

SECTION 1285. 48.561 (3) (a) 1. of the statutes is amended to read:

48.561 (3) (a) 1. Through a reduction of $37,209,200 from the amount amounts distributed to that county under s. ss. 46.40 (2) and 48.563 (2) in each state fiscal year.

SECTION 1286. 48.561 (3) (b) of the statutes is amended to read:
48.561 (3) (b) The department of administration shall collect the amount
specified in par. (a) 3. from a county having a population of 500,000 or more by
deducting all or part of that amount from any state payment due that county under
s. 79.03, 79.04, 79.058, 79.06, or 79.08. The department of administration shall
notify the department of revenue, by September 15 of each year, of the amount to be
deducted from the state payments due under s. 79.03, 79.04, 79.058, 79.06, or 79.08.
The department of administration shall credit all amounts collected under this
paragraph to the appropriation account under s. 20.435 (3) 20.437 (1) (kw) and shall
notify the county from which those amounts are collected of that collection. The
department may not expend any moneys from the appropriation account under s.
20.435 (3) 20.437 (1) (cx) for providing services to children and families under s. 48.48
(17) until the amounts in the appropriation account under s. 20.435 (3) 20.437 (1)
(kw) are exhausted.

Section 1287. 48.563 of the statutes is created to read:

48.563 Children and family aids funding. (1) Distribution limits. (a)
Within the limits of available federal funds and of the appropriations under s. 20.437
(1) (b) and (o), the department shall distribute funds for children and family services
to county departments as provided in subs. (2), (3), and (7m) and s. 48.986.

(d) If the department receives from the department of health and family
services under s. 46.40 (1) (d) any federal moneys under 42 USC 1396 to 1396v in
reimbursement of the cost of preventing out-of-home placements of children, the
department shall use those moneys as the first source of moneys used to meet the
amount of the allocation under sub. (2) that is budgeted from federal funds.

(2) Basic county allocation. For children and family services under s. 48.569
(1) (d), the department shall distribute not more than $67,756,000 in each fiscal year.
(14m) COUNTY CHILDREN AND FAMILY AIDS BUDGETS. Before December 1 of each year, each county department and each tribal governing body shall submit to the department a proposed budget for the expenditure of funds allocated under this section, distributed under s. 48.565 (2) (a), or carried forward under s. 48.565 (3). The proposed budget shall be submitted on a form developed by the department and approved by the department of administration.

SECTION 1288. 48.565 of the statutes is created to read:

48.565 Carry-over of children and family aids funds. Funds allocated by the department under s. 48.569 (1) (d) but not spent or encumbered by counties, governing bodies of federally recognized American Indian tribes, or private nonprofit organizations by December 31 of each year and funds recovered under s. 48.569 (2) (b) and deposited into the appropriation account under s. 20.437 (1) (b) lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year under s. 20.437 (1) (b) or as follows:

(3) At the request of a county, tribal governing body, or private nonprofit organization, the department shall carry forward up to 3 percent of the total amount allocated to the county, tribal governing body, or nonprofit organization for a calendar year. All funds carried forward for a tribal governing body or nonprofit organization and all federal child welfare funds under 42 USC 620 to 626 carried forward for a county shall be used for the purpose for which the funds were originally allocated. Other funds carried forward under this subsection may be used for any purpose under s. 20.437 (1) (b), except that a county may not use any funds carried forward under this subsection for administrative or staff costs. An allocation of carried-forward funding under this subsection does not affect a county's base allocation under s. 48.563 (2).
(6) The department may carry forward 10 percent of any funds specified in sub.
(3) that are not carried forward under sub. (3) for emergencies, for justifiable unit
services costs above planned levels, and for increased costs due to population shifts.
An allocation of carried-forward funding under this subsection does not affect a
county's base allocation under s. 48.563 (2).

SECTION 1289. 48.567 of the statutes is created to read:

48.567 Expenditure of income augmentation services receipts. (1)
From the appropriation account under s. 20.437 (3) (mp), the department shall
support costs that are exclusively related to the ongoing and recurring operational
costs of augmenting the amount of moneys received under 42 USC 670 to 679a and
to any other purpose provided for by the legislature by law or in budget
determinations. In addition, the department may expend moneys from the
appropriation account under s. 20.437 (3) (mp) as provided in subs. (1m) and (2).

(2) If the department proposes to use any moneys from the appropriation
account under s. 20.437 (3) (mp) for any purpose other than the purposes specified
in subs. (1) and (1m), the department shall submit a plan for the proposed use of those
moneys to the secretary of administration by September 1 of the fiscal year after the
fiscal year in which those moneys were received. If the secretary of administration
approves the plan, he or she shall submit the plan to the joint committee on finance
by October 1 of the fiscal year after the fiscal year in which those moneys were
received. If the cochairpersons of the committee do not notify the secretary of
administration within 14 working days after the date of submittal of the plan that
the committee has scheduled a meeting for the purpose of reviewing the plan, the
department may implement the plan. If within 14 working days after the date of the
submittal by the secretary of administration the cochairpersons of the committee
notify him or her that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan only with the approval of the committee.

**SECTION 1290.** 48.568 of the statutes is created to read:

**48.568 Allocation of federal funds for children and family aids and child welfare.** Subject to s. 48.563 (1) (b) and (c), if the department receives unanticipated federal foster care and adoption assistance payments under 42 USC 670 to 679a and it proposes to allocate the unanticipated funds so that an allocation limit in s. 48.563 is exceeded, the department shall submit a plan for the proposed allocation to the secretary of administration. If the secretary of administration approves the plan, he or she shall submit it to the joint committee on finance. If the cochairpersons of the committee do not notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the plan within 14 working days after the date of his or her submittal, the department may implement the plan, notwithstanding any allocation limits under s. 48.563. If within 14 working days after the date of the submittal by the secretary of administration the cochairpersons of the committee notify him or her that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan, notwithstanding s. 48.563, only with the approval of the committee.

**SECTION 1291.** 48.569 of the statutes is created to read:

**48.569 Distribution of children and family aids funds to counties.** (1) (am) The department shall reimburse each county from the appropriations under s. 20.437 (1) (b) and (o) for children and family services as approved by the department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.
(d) From the appropriations under s. 20.437 (1) (b) and (o), the department shall distribute the funding for children and family services, including funding for foster care, treatment foster care, or subsidized guardianship care of a child on whose behalf aid is received under s. 48.645 to county departments as provided under s. 48.563. County matching funds are required for the distribution under s. 48.563 (2). Each county’s required match for the distribution under s. 48.563 (2) shall be specified in a schedule established annually by the department. Matching funds may be from county tax levies, federal and state revenue sharing funds, or private donations to the county that meet the requirements specified in sub. (1m). Private donations may not exceed 25 percent of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

(dc) The department shall prorate the amount allocated to any county department under par. (d) to reflect actual federal funds available.

(f) 1. If any state matching funds allocated under par. (d) to match county funds are not claimed, the funds shall be redistributed for the purposes the department designates.

2. The county allocation to match aid increases shall be included in the contract under s. 49.325 (2g), and approved by January 1 of the year for which funds are allocated, in order to generate state aid matching funds. All funds allocated under par. (d) shall be included in the contract under s. 49.325 (2g) and approved.

(1m) (a) A private donation to a county may be used to match the state grant-in-aid under sub. (1) (d) only if the donation is both of the following:
1. Donated to a county department and the donation is under the administrative control of that county department.

2. Donated without restrictions as to use, unless the restrictions specify that the donation be used for a particular service and the donor neither sponsors nor operates the service.

(b) Voluntary federated fund-raising organizations are not sponsors or operators of services within the meaning of par. (a) 2. Any member agency of such an organization that sponsors or operates services is considered to be an autonomous entity separate from the organization unless the board membership of the organization and the agency interlock.

(2) (a) The county treasurer and each director of a county department shall monthly certify under oath to the department, in the manner the department prescribes, the claim of the county for state reimbursement under this section, and if the department approves the claim it shall certify to the department of administration for reimbursement to the county for amounts due under this section and payment claimed to be made to the counties monthly. The department may make advance payments prior to the beginning of each month equal to one-twelfth of the contracted amount.

(b) To facilitate prompt reimbursement, the certificate of the department may be based on the certified statements of the county officers filed under par. (a). Funds recovered from audit adjustments from a prior fiscal year may be included in subsequent certifications only to pay counties owed funds as a result of any audit adjustment. By September 30 of each year the department shall submit a report to the appropriate standing committees under s. 13.172 (3) on funds recovered and paid out during the previous calendar year as a result of audit adjustments.
**SECTION 1292.** 48.57 (1) (g) of the statutes is amended to read:

48.57 (1) (g) Upon request of the department of health and family services or the department of corrections, to provide service for any child or expectant mother of an unborn child in the care of those departments.

**SECTION 1293.** 48.57 (3) (a) 3. (intro.) of the statutes is amended to read:

48.57 (3) (a) 3. (intro.) Received funding under s. 48.569 (1) (d) or under s. 46.495 (1) (d), 2005 stats., immediately prior to his or her 18th birthday; and

**SECTION 1294.** 48.57 (3) (b) of the statutes is amended to read:

48.57 (3) (b) The funding provided for the maintenance of a child under par. (a) shall be in an amount equal to that which the child would receive under s. 46.495 48.569 (1) (d) if the child were 17 years of age.

**SECTION 1295.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

48.57 (3m) (am) (intro.) From the appropriation under s. 20.435 (3) 20.437 (1) (kc), the department shall reimburse counties having populations of less than 500,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 500,000 or more. A county department and, in a county having a population of 500,000 or more, the department shall make payments in the amount of $215 per month to a kinship care relative who is providing care and maintenance for a child if all of the following conditions are met:

**SECTION 1296.** 48.57 (3m) (e) of the statutes is amended to read:

48.57 (3m) (e) The department shall determine whether the child is eligible for medical assistance under ss. 49.43 to 49.47 49.471.

**SECTION 1297.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

48.57 (3n) (am) (intro.) From the appropriation under s. 20.435 (3) 20.437 (1) (kc), the department shall reimburse counties having populations of less than
500,000 for payments made under this subsection and shall make payments under
this subsection in a county having a population of 500,000 or more. A county
department and, in a county having a population of 500,000 or more, the department
shall make monthly payments for each child in the amount specified in sub. (3m)
(am) (intro.) to a long-term kinship care relative who is providing care and
maintenance for that child if all of the following conditions are met:

**SECTION 1298.** 48.57 (3n) (e) of the statutes is amended to read:

48.57 (3n) (e) The department shall determine whether the child is eligible for
medical assistance under ss. 49.43 to 49.47 49.471.

**SECTION 1299.** 48.57 (3p) (b) 1. of the statutes is amended to read:

48.57 (3p) (b) 1. After receipt of an application for payments under sub. (3m)
or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a
population of 500,000 or more, the department of health and family services, with
the assistance of the department of justice, shall conduct a background investigation
of the applicant.

**SECTION 1300.** 48.57 (3p) (b) 2. of the statutes is amended to read:

48.57 (3p) (b) 2. The county department or, in a county having a population of
500,000 or more, the department of health and family services, with the assistance
of the department of justice, may conduct a background investigation of any person
who is receiving payments under sub. (3m) at the time of review under sub. (3m) (d)
or at any other time that the county department or department of health and family
services considers to be appropriate.

**SECTION 1301.** 48.57 (3p) (b) 3. of the statutes is amended to read:

48.57 (3p) (b) 3. The county department or, in a county having a population of
500,000 or more, the department of health and family services, with the assistance
of the department of justice, may conduct a background investigation of any person
who is receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) at any time that
the county department or department of health and family services considers to be
appropriate.

SECTION 1302. 48.57 (3p) (c) 1. of the statutes is amended to read:

48.57 (3p) (c) 1. After receipt of an application for payments under sub. (3m)
or (3n) or s. 48.62 (5) (a) or (b), the county department or, in a county having a
population of 500,000 or more, the department of health and family services, with
the assistance of the department of justice, shall, in addition to the investigation
under par. (b) 1., conduct a background investigation of all employees and
prospective employees of the applicant who have or would have regular contact with
the child for whom those payments are being made and of each adult resident.

SECTION 1303. 48.57 (3p) (c) 2. of the statutes is amended to read:

48.57 (3p) (c) 2. The county department or, in a county having a population of
500,000 or more, the department of health and family services, with the assistance
of the department of justice, may conduct a background investigation of any of the
employees or prospective employees of any person who is receiving payments under
sub. (3m) who have or would have regular contact with the child for whom those
payments are being made and of each adult resident at the time of review under sub.
(3m) (d) or at any other time that the county department or department of health and
family services considers to be appropriate.

SECTION 1304. 48.57 (3p) (c) 2m. of the statutes is amended to read:

48.57 (3p) (c) 2m. The county department or, in a county having a population
of 500,000 or more, the department of health and family services, with the assistance
of the department of justice, may conduct a background investigation of any of the
employees or prospective employees of any person who is receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) who have or would have regular contact with the child for whom payments are being made and of each adult resident at any time that the county department or department of health and family services considers to be appropriate.

SECTION 1305. 48.57 (3p) (c) 3. of the statutes is amended to read:

48.57 (3p) (c) 3. Before a person who is receiving payments under sub. (3m) or (3n) or s. 48.62 (5) (a) or (b) may employ any person in a position in which that person would have regular contact with the child for whom those payments are being made or permit any person to be an adult resident, the county department or, in a county having a population of 500,000 or more, the department of health and family services, with the assistance of the department of justice, shall conduct a background investigation of the prospective employee or prospective adult resident unless that person has already been investigated under subd. 1., 2. or 2m.

SECTION 1306. 48.57 (3p) (d) of the statutes is amended to read:

48.57 (3p) (d) If the person being investigated under par. (b) or (c) is a nonresident, or at any time within the 5 years preceding the date of the application has been a nonresident, or if the county department or, in a county having a population of 500,000 or more, the department of health and family services determines that the person’s employment, licensing or state court records provide a reasonable basis for further investigation, the county department or department of health and family services shall require the person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the person’s fingerprints. The department of justice may provide for the submission of the fingerprint cards to the
federal bureau of investigation for the purposes of verifying the identity of the person
fingerprinted and obtaining records of his or her criminal arrest and conviction.

**SECTION 1307.** 48.57 (3p) (e) (intro.) of the statutes is amended to read:

48.57 (3p) (e) (intro.) Upon request, a person being investigated under par. (b)
or (c) shall provide the county department or, in a county having a population of
500,000 or more, the department of health and family services with all of the
following information:

**SECTION 1308.** 48.57 (3p) (fm) 1. of the statutes is amended to read:

48.57 (3p) (fm) 1. The county department or, in a county having a population
of 500,000 or more, the department of health and family services may provisionally
approve the making of payments under sub. (3m) based on the applicant’s statement
under sub. (3m) (am) 4m. The county department or department of health and family
services may not finally approve the making of payments under sub. (3m) unless the
county department or department of health and family services receives information
from the department of justice indicating that the conviction record of the applicant
under the law of this state is satisfactory according to the criteria specified in par.
g 1. to 3. or payment is approved under par. (h) 4. The county department or
department of health and family services may make payments under sub. (3m)
conditioned on the receipt of information from the federal bureau of investigation
indicating that the person’s conviction record under the law of any other state or
under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

**SECTION 1309.** 48.57 (3p) (fm) 1m. of the statutes is amended to read:

48.57 (3p) (fm) 1m. The county department or, in a county having a population
of 500,000 or more, the department of health and family services may not enter into
the agreement under sub. (3n) (am) 6. or make payments under s. 48.62 (5) (a) or (b)
unless the county department or department of health and family services receives information from the department of justice relating to the conviction record of the applicant under the law of this state and that record indicates either that the applicant has not been arrested or convicted or that the applicant has been arrested or convicted but the director of the county department or, in a county having a population of 500,000 or more, the person designated by the secretary of health and family services to review conviction records under this subdivision determines that the conviction record is satisfactory because it does not include any arrest or conviction that the director or person designated by the secretary determines is likely to adversely affect the child or the applicant’s ability to care for the child. The county department or, in a county having a population of 500,000 or more, the department of health and family services may make payments under sub. (3n) or s. 48.62 (5) (a) or (b) conditioned on the receipt of information from the federal bureau of investigation indicating that the person’s conviction record under the law of any other state or under federal law is satisfactory because the conviction record does not include any arrest or conviction that the director of the county department or, in a county having a population of 500,000 or more, the person designated by the secretary of health and family services to review conviction records under this subdivision determines is likely to adversely affect the child or the applicant’s ability to care for the child.

SECTION 1310. 48.57 (3p) (fm) 2. of the statutes is amended to read:

48.57 (3p) (fm) 2. A person receiving payments under sub. (3m) may provisionally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or provisionally permit a person to be an adult resident if the person receiving those payments states
to the county department or, in a county having a population of 500,000 or more, the department of health and family services that the employee or adult resident does not have any arrests or convictions that could adversely affect the child or the ability of the person receiving payments to care for the child. A person receiving payments under sub. (3m) may not finally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or finally permit a person to be an adult resident until the county department or, in a county having a population of 500,000 or more, the department of health and family services receives information from the department of justice indicating that the person’s conviction record under the law of this state is satisfactory according to the criteria specified in par. (g) 1. to 3. and the county department or, in a county having a population of 500,000 or more, the department of health and family services so advises the person receiving payments under sub. (3m) or until a decision is made under par. (h) 4. to permit a person who is receiving payments under sub. (3m) to employ a person in a position in which that person would have regular contact with the child for whom payments are being made or to permit a person to be an adult resident and the county department or, in a county having a population of 500,000 or more, the department of health and family services so advises the person receiving payments under sub. (3m). A person receiving payments under sub. (3m) may finally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or finally permit a person to be an adult resident conditioned on the receipt of information from the county department or, in a county having a population of 500,000 or more, the department of health and family services that the federal bureau of investigation indicates that
the person's conviction record under the law of any other state or under federal law
is satisfactory according to the criteria specified in par. (g) 1. to 3.

**SECTION 1311.** 48.57 (3p) (fm) 2m. of the statutes is amended to read:

48.57 (3p) (fm) 2m. A person receiving payments under sub. (3n) or s. 48.62 (5)
(a) or (b) may provisionally employ a person in a position in which that person would
have regular contact with the child for whom those payments are being made or
provisionally permit a person to be an adult resident if the person receiving those
payments states to the county department or, in a county having a population of
500,000 or more, the department of health and family services that, to the best of his
or her knowledge, the employee or adult resident does not have any arrests or
convictions that could adversely affect the child or the ability of the person receiving
payments to care for the child. A person receiving payment under sub. (3n) or s. 48.62
(5) (a) or (b) may not finally employ a person in a position in which that person would
have regular contact with the child for whom those payments are being made or
finally permit a person to be an adult resident until the county department or, in a
county having a population of 500,000 or more, the department of health and family
services receives information from the department of justice relating to the person's
conviction record under the law of this state and that record indicates either that the
person has not been arrested or convicted or that the person has been arrested or
convicted but the director of the county department or, in a county having a
population of 500,000 or more, the person designated by the secretary of health and
family services to review conviction records under this subdivision determines that
the conviction record is satisfactory because it does not include any arrest or
conviction that is likely to adversely affect the child or the ability of the person
receiving payments to care for the child and the county department or department
of health and family services so advises the person receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b). A person receiving payments under sub. (3n) or s. 48.62 (5) (a) or (b) may finally employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or finally permit a person to be an adult resident conditioned on the receipt of information from the county department or, in a county having a population of 500,000 or more, the department of health and family services that the federal bureau of investigation indicates that the person’s conviction record under the law of any other state or under federal law is satisfactory because the conviction record does not include any arrest or conviction that the director of the county department or, in a county having a population of 500,000 or more, the person designated by the secretary of health and family services to review conviction records under this subdivision determines is likely to adversely affect the child or the ability of the person receiving payments to care for the child.

SECTION 1312. 48.57 (3p) (g) (intro.) of the statutes is amended to read:

48.57 (3p) (g) (intro.) Except as provided in par. (h), the county department or, in a county having a population of 500,000 or more, the department of health and family services may not make payments to a person applying for payments under sub. (3m) and a person receiving payments under sub. (3m) may not employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or permit a person to be an adult resident if any of the following applies:

SECTION 1313. 48.57 (3p) (g) 3. of the statutes is amended to read:

48.57 (3p) (g) 3. The person has been convicted of a violation of ch. 940, 944, or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45, 948.63, or 948.70,
or of a violation of the law of any other state or federal law that would be a violation of ch. 940, 944, or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45, 948.63, or 948.70, if committed in this state, except that a county department or, in a county having a population of 500,000 or more, the department of health and family services may make payments to a person applying for payments under sub. (3m) and a person receiving payments under sub. (3m) may employ in a position in which the person would have regular contact with the child for whom those payments are being made or permit to be an adult resident a person who has been convicted of a violation of s. 944.30, 944.31, or 944.33 or of a violation of the law of any other state or federal law that would be a violation of s. 944.30, 944.31, or 944.33 if committed in this state, if that violation occurred 20 years or more before the date of the investigation.

SECTION 1314. 48.57 (3p) (h) 2. of the statutes is amended to read:

48.57 (3p) (h) 2. The request for review shall be filed with the director of the county department or, in a county having a population of 500,000 or more, with the person designated by the secretary of health and family services to receive requests for review filed under this subdivision. If the governing body of a federally recognized American Indian tribe or band has entered into an agreement under sub. (3t) to administer the program under this subsection and sub. (3m), the request for review shall be filed with the person designated by that governing body to receive requests for review filed under this subdivision.

SECTION 1315. 48.57 (3p) (h) 3. (intro.) of the statutes is amended to read:

48.57 (3p) (h) 3. (intro.) The director of the county department, the person designated by the governing body of a federally recognized American Indian tribe or band or, in a county having a population of 500,000 or more, the person designated by the secretary of health and family services shall review the denial of payments or
the prohibition on employment or being an adult resident to determine if the conviction record on which the denial or prohibition is based includes any arrests, convictions, or penalties that are likely to adversely affect the child or the ability of the kinship care relative to care for the child. In reviewing the denial or prohibition, the director of the county department, the person designated by the governing body of the federally recognized American Indian tribe or band or the person designated by the secretary of health and family services shall consider, but not be limited to, all of the following factors:

**SECTION 1316.** 48.57 (3p) (h) 4. of the statutes is amended to read:

48.57 (3p) (h) 4. If the director of the county department, the person designated by the governing body of the federally recognized American Indian tribe or band or, in a county having a population of 500,000 or more, the person designated by the secretary of health and family services determines that the conviction record on which the denial of payments or the prohibition on employment or being an adult resident is based does not include any arrests, convictions, or penalties that are likely to adversely affect the child or the ability of the kinship care relative to care for the child, the director of the county department, the person designated by the governing body of the federally recognized American Indian tribe or band, or the person designated by the secretary of health and family services may approve the making of payments under sub. (3m) or may permit a person receiving payments under sub. (3m) to employ a person in a position in which that person would have regular contact with the child for whom payments are being made or permit a person to be an adult resident.

**SECTION 1317.** 48.57 (3p) (i) of the statutes is amended to read:
48.57 (3p) (i) A county department and, in a county having a population of 500,000 or more, the department of health and family services shall keep confidential all information received under this subsection from the department of justice or the federal bureau of investigation. Such information is not subject to inspection or copying under s. 19.35.

SECTION 1318. 48.57 (3p) (j) of the statutes is amended to read:

48.57 (3p) (j) A county department or, in a county having a population of 500,000 or more, the department of health and family services may charge a fee for conducting a background investigation under this subsection. The fee may not exceed the reasonable cost of conducting the investigation.

SECTION 1319. 48.576 of the statutes is created to read:

48.576 Shelter care facilities; general supervision and inspection by department. (1) Generally. The department shall investigate and supervise all shelter care facilities and familiarize itself with all the circumstances affecting their management and usefulness.

(2) Inspections. The department shall inquire into the methods of treatment, instruction, government, and management of children placed in shelter care facilities; the conduct of the trustees, managers, directors, superintendents, and other officers and employees of those facilities; the condition of the buildings, grounds, and all other property pertaining to those facilities; and all other matters pertaining to the usefulness and management of those facilities; and recommend to the officers in charge such changes and additional provisions as the department considers proper.

(3) Frequency of inspections. The department shall inspect and investigate each shelter care facility at least annually and, when directed by the governor, the
department shall conduct a special investigation into a shelter care facility’s management, or anything connected with its management, and report to the governor the testimony taken, the facts found, and conclusions drawn.

(4) **Enforcement by Attorney General and District Attorneys.** Upon request of the department, the attorney general or the district attorney of the proper county shall aid in any investigation, inspection, hearing, or trial had under the provisions of this chapter relating to powers of the department, and shall institute and prosecute all necessary actions or proceedings for the enforcement of those provisions and for the punishment of violations of those provisions. The attorney general or district attorney so requested shall report or confer with the department regarding the request, within 30 days after the receipt of the request.

(5) **Opportunity to Inspect.** All trustees, managers, directors, superintendents, and other officers or employees of a shelter care facility shall at all times afford to every member of the department and its agents unrestrained facility for inspection of and free access to all parts of the buildings and grounds and to all books and papers of the shelter care facility, and shall give, either verbally or in writing, such information as the department requires. Any person who violates this subsection shall forfeit not less than $10 nor more than $100.

(6) **Testimonial Power; Expenses.** The department or any person delegated by the department may administer oaths, take testimony, and cause depositions to be taken. All expenses of the investigations, including fees of officers and witnesses, shall be charged to the appropriation for the department.

(7) **Statistics to Be Furnished.** Whenever the department is required to collect statistics, the person or agency shall furnish the required statistics on request.

**Section 1320.** 48.578 of the statutes is created to read:
48.578 Shelter care facilities; establishment, approval, inspection. (1) The department shall fix reasonable standards and regulations for the design, construction, repair, and maintenance of shelter care facilities, with respect to their adequacy and fitness for the needs that they are to serve.

(2) The selection and purchase of the site, and the plans, specifications, and erection of buildings for shelter care facilities shall be subject to the review and approval of the department. Department review shall include review of the proposed program to be carried out by the shelter care facility.

(3) Before any shelter care facility is occupied, and at least annually thereafter, the department shall inspect the shelter care facility, with respect to safety, sanitation, adequacy, and fitness, and report to the authorities managing the shelter care facility any deficiency found, and order the necessary work to correct that deficiency. If within 6 months after the inspection the work is not commenced, or not completed within a reasonable period after commencement of the work, to the satisfaction of the department, the department shall suspend the allowance of state aid for, and prohibit the use of the shelter care facility, until the order is complied with.

SECTION 1321. 48.60 (3) of the statutes is amended to read:

48.60 (3) Before issuing or continuing any license to a child welfare agency under this section, the department of health and family services shall review the need for the additional placement resources that would be made available by licensing or continuing the license of any child welfare agency after August 5, 1973, providing care authorized under s. 48.61 (3). Neither the department of health and family services nor the department of corrections may make any placements to any
child welfare agency where the departmental review required under this subsection has failed to indicate the need for the additional placement resources.

**SECTION 1322.** 48.62 (4) of the statutes is amended to read:

48.62 (4) Monthly payments in foster care shall be provided according to the age-related rates specified in this subsection. Beginning on January 1, 2006, the age-related rates are $317 for a child under 5 years of age; $346 for a child 5 to 11 years of age; $394 for a child 12 to 14 years of age; and $411 for a child 15 years of age or over. Beginning on January 1, 2008, the age-related rates are $333 for a child under 5 years of age; $363 for a child 5 to 11 years of age; $394 for a child 12 to 14 years of age; and $414 for a child 15 years of age or over. Beginning on January 1, 2009, the age-related rates are $349 for a child under 5 years of age; $381 for a child 5 to 11 years of age; $414 for a child 12 to 14 years of age; and $452 for a child 15 years of age or over. In addition to these grants for basic maintenance, the department shall make supplemental payments for special needs, exceptional circumstances, care in a treatment foster home, and initial clothing allowances according to rules promulgated by the department.

**SECTION 1323.** 48.62 (5) (d) of the statutes is amended to read:

48.62 (5) (d) The department shall request from the secretary of the federal department of health and human services a waiver of the requirements under 42 USC 670 to 679a that would authorize the state to receive federal foster care and adoption assistance reimbursement under 42 USC 670 to 679a for the costs of providing care for a child who is in the care of a guardian who was licensed as the child’s foster parent or treatment foster parent before the guardianship appointment and who has entered into a subsidized guardianship agreement with the county department or department. If the waiver is approved for a county having a population of 500,000 or more, the department shall provide the monthly payments
under par. (a) from the appropriations under s. 20.435 (3) 20.437 (1) (cx), (gx), (kw), and (mx). If the waiver is approved for any other county, the department shall determine which counties are authorized to provide monthly payments under par. (a) or (b), and the county departments of those counties shall provide those payments from moneys received under s. 46.495 48.569 (1) (d).

Section 1324. 48.627 (2) (c) of the statutes is amended to read:

48.627 (2) (c) The department shall conduct a study to determine the cost-effectiveness of purchasing insurance to provide standard homeowner's or renter's liability insurance coverage for applicants who are granted a waiver under par. (b). If the department determines that it would be cost-effective to purchase such insurance, it may purchase the insurance from the appropriations under s. 20.435 (3) 20.437 (1) (cf) and (pd).

Section 1325. 48.627 (2c) of the statutes is amended to read:

48.627 (2c) The department shall determine the cost-effectiveness of purchasing private insurance that would provide coverage to foster, treatment foster, and family-operated group home parents for acts or omissions by or affecting a child who is placed in a foster home, a treatment foster home, or a family-operated group home. If this private insurance is cost-effective and available, the department shall purchase the insurance from the appropriations under s. 20.435 (3) 20.437 (1) (cf) and (pd). If the insurance is unavailable, payment of claims for acts or omissions by or affecting a child who is placed in a foster home, a treatment foster home, or a family-operated group home shall be in accordance with subs. (2m) to (3).

Section 1326. 48.627 (2m) of the statutes is amended to read:

48.627 (2m) Within the limits of the appropriations under s. 20.435 (3) 20.437 (1) (cf) and (pd), the department shall pay claims to the extent not covered by any
other insurance and subject to the limitations specified in sub. (3), for bodily injury
or property damage sustained by a licensed foster, treatment foster, or
family–operated group home parent or a member of the foster, treatment foster, or
family–operated group home parent’s family as a result of the act of a child in the
foster, treatment foster, or family–operated group home parent’s care.

**SECTION 1327.** 48.627 (2s) (intro.) of the statutes is amended to read:

48.627 (2s) (intro.) Within the limits of the appropriations under s. 20.435 (3)
20.437 (1) (cf) and (pd), the department may pay claims to the extent not covered by
any other insurance and subject to the limitations specified in sub. (3), for all of the
following:

**SECTION 1328.** 48.627 (3) (f) of the statutes is amended to read:

48.627 (3) (f) If the total amount of the claims approved during any calendar
quarter exceeds 25% of the total funds available during the fiscal year for purposes
of this subsection plus any unencumbered funds remaining from the previous
quarter, the department shall prorate the available funds among the claimants with
approved claims. The department shall also prorate any unencumbered funds
remaining in the appropriation under s. 20.435 (3) 20.437 (1) (cf) at the end of each
fiscal year among the claimants whose claims were prorated during the fiscal year.
Payment of a prorated amount from unencumbered funds remaining at the end of
the fiscal year constitutes a complete payment of the claim for purposes of this
program, but does not prohibit a foster parent or treatment foster parent from
submitting a claim under s. 16.007 for the unpaid portion.

**SECTION 1329.** 48.627 (4) of the statutes is amended to read:

48.627 (4) Except as provided in s. 895.485, the department is not liable for any
act or omission by or affecting a child who is placed in a foster home, treatment foster
home, or family-operated group home, but shall, as provided in this section, pay
claims described under sub. (2m) and may pay claims described under sub. (2s) or
may purchase insurance to cover such claims as provided for under sub. (2c), within
the limits of the appropriations under s. 20.435 (3) 20.437 (1) (cf) and (pd).

SECTION 1330. 48.63 (1) of the statutes is amended to read:

48.63 (1) Acting under court order or voluntary agreement, the child’s parent
or guardian or the department of health and family services, the department of
corrections, a county department, or a child welfare agency licensed to place children
in foster homes, treatment foster homes, or group homes may place a child or
negotiate or act as intermediary for the placement of a child in a foster home,
treatment foster home, or group home. Voluntary agreements under this subsection
may not be used for placements in facilities other than foster, treatment foster, or
group homes and may not be extended. A foster home or treatment foster home
placement under a voluntary agreement may not exceed 180 days from the date on
which the child was removed from the home under the voluntary agreement. A group
home placement under a voluntary agreement may not exceed 15 days from the date
on which the child was removed from the home under the voluntary agreement, except as provided in sub. (5). These time limitations do not apply to placements
made under s. 48.345, 938.183, 938.34, or 938.345. Voluntary agreements may be
made only under this subsection and sub. (5) (b) and shall be in writing and shall
specifically state that the agreement may be terminated at any time by the parent
or guardian or by the child if the child’s consent to the agreement is required. The
child’s consent to the agreement is required whenever the child is 12 years of age or
older. If a county department, the department, or the department of corrections
places a child or negotiates or acts as intermediary for the placement of a child under
this subsection, the voluntary agreement shall also specifically state that the county
department, department, or department of corrections has placement and care
responsibility for the child as required under 42 USC 672 (a) (2) and has primary
responsibility for providing services to the child.

SECTION 1331. 48.64 (1) of the statutes is amended to read:

48.64 (1) DEFINITION. In this section, “agency” means the department of health
and family services, the department of corrections, a county department, or a
licensed child welfare agency authorized to place children in foster homes, treatment
foster homes, or group homes.

SECTION 1332. 48.651 (1) (intro.) of the statutes is amended to read:

48.651 (1) (intro.) Each county department shall certify, according to the
standards adopted by the department of workforce development under s. 49.155 (1d),
each day care provider reimbursed for child care services provided to families
determined eligible under s. 49.155, unless the provider is a day care center licensed
under s. 48.65 or is established or contracted for under s. 120.13 (14). Each county
may charge a fee to cover the costs of certification. To be certified under this section,
a person must meet the minimum requirements for certification established by the
department of workforce development under s. 49.155 (1d), meet the requirements
specified in s. 48.685 and pay the fee specified in this section. The county shall certify
the following categories of day care providers:

SECTION 1333. 48.651 (1) (a) of the statutes is amended to read:

48.651 (1) (a) Level I certified family day care providers, as established by the
department of workforce development under s. 49.155 (1d). No county may certify
a provider under this paragraph if the provider is a relative of all of the children for
whom he or she provides care.
SECTION 1334. 48.651 (1) (b) of the statutes is amended to read:

48.651 (1) (b) Level II certified family day care providers, as established by the department of workforce development, under s. 49.155 (1d).

SECTION 1335. 48.651 (2m) of the statutes is amended to read:

48.651 (2m) Each county department shall provide the department of health and family services with information about each person who is denied certification for a reason specified in s. 48.685 (4m) (a) 1. to 5.

SECTION 1338. 48.66 (1) (a) of the statutes is amended to read:

48.66 (1) (a) Except as provided in s. 48.715 (6) and (7), the department shall license and supervise child welfare agencies, as required by s. 48.60, group homes, as required by s. 48.625, shelter care facilities, as required by s. 938.22, and day care centers, as required by s. 48.65. The department may license foster homes or treatment foster homes, as provided by s. 48.62, and may license and supervise county departments in accordance with the procedures specified in this section and in ss. 48.67 to 48.74. In the discharge of this duty the department may inspect the records and visit the premises of all child welfare agencies, group homes, shelter care facilities, and day care centers and visit the premises of all foster homes and treatment foster homes in which children are placed.

SECTION 1339. 48.66 (2m) (a) 1. of the statutes is amended to read:

48.66 (2m) (a) 1. Except as provided in subd. 2., the department of health and family services shall require each applicant for a license under sub. (1) (a) to operate a child welfare agency, group home, shelter care facility, or day care center who is an individual to provide that department with the applicant’s social security number, and shall require each applicant for a license under sub. (1) (a) to operate a child welfare agency, group home, shelter care facility, or day care center who is not an
individual to provide that department with the applicant’s federal employer
identification number, when initially applying for or applying to continue the license.

**SECTION 1340.** 48.66 (2m) (a) 2. of the statutes is amended to read:

48.66 (2m) (a) 2. If an applicant who is an individual does not have a social
security number, the applicant shall submit a statement made or subscribed under
oath or affirmation to the department of health and family services that the
applicant does not have a social security number. The form of the statement shall
be prescribed by the department of workforce development. A license issued in
reliance upon a false statement submitted under this subdivision is invalid.

**SECTION 1341.** 48.66 (2m) (am) 2. of the statutes is amended to read:

48.66 (2m) (am) 2. If an applicant who is an individual does not have a social
security number, the applicant shall submit a statement made or subscribed under
oath or affirmation to the department of corrections that the applicant does not have
a social security number. The form of the statement shall be prescribed by the
department of workforce development. A license issued in reliance upon a false
statement submitted under this subdivision is invalid.

**SECTION 1342.** 48.66 (2m) (b) of the statutes is amended to read:

48.66 (2m) (b) If an applicant who is an individual fails to provide the
applicant’s social security number to the department of health and family services
or if an applicant who is not an individual fails to provide the applicant’s federal
employer identification number to that the department, that department may not
issue or continue a license under sub. (1) (a) to operate a child welfare agency, group
home, shelter care facility, or day care center to or for the applicant unless the
applicant is an individual who does not have a social security number and the
applicant submits a statement made or subscribed under oath or affirmation as required under par. (a) 2.

**SECTION 1343.** 48.66 (2m) (c) of the statutes is amended to read:

48.66 (2m) (c) The subunit of the department of health and family services that obtains a social security number or a federal employer identification number under par. (a) 1. may not disclose any information obtained under par. (a) 1. to any person except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301 or on the request of the subunit of the department of workforce development that administers the child and spousal support program under s. 49.22 (2m).

**SECTION 1344.** 48.66 (2m) (cm) of the statutes is amended to read:

48.66 (2m) (cm) The department of corrections may not disclose any information obtained under par. (am) 1. to any person except on the request of the department of workforce development under s. 49.22 (2m).

**SECTION 1345.** 48.675 (3) (intro.) of the statutes is amended to read:

48.675 (3) SUPPORT SERVICES. (intro.) The department shall provide funds from the appropriation under s. 20.435 (6) 20.437 (1) (a) to enable foster parents and treatment foster parents to attend education programs approved under sub. (2) and shall promulgate rules concerning disbursement of the funds. Moneys disbursed under this subsection may be used for the following purposes:

**SECTION 1346.** 48.685 (1) (bg) of the statutes is repealed.

**SECTION 1347.** 48.685 (1) (d) of the statutes is repealed.

**SECTION 1348.** 48.685 (2) (am) 5. of the statutes is amended to read:

48.685 (2) (am) 5. Information maintained by the department of health and family services under this section and under ss. 48.651 (2m), 48.75 (1m) 1. and 120.13
(14) regarding any denial to the person of a license, continuation or renewal of a license, certification, or a contract to operate an entity for a reason specified in sub. (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to 5. If the information obtained under this subdivision indicates that the person has been denied a license, continuation or renewal of a license, certification, a contract, employment, or permission to reside as described in this subdivision, the department, a county department, a child welfare agency or a school board need not obtain the information specified in subds. 1. to 4.

SECTION 1349. 48.685 (2) (b) 1. (intro.) of the statutes is amended to read:

48.685 (2) (b) 1. (intro.) Every entity shall obtain all of the following with respect to a caregiver specified in sub. (1) (ag) 1. a. of the entity:

SECTION 1350. 48.685 (2) (b) 1. e. of the statutes is amended to read:

48.685 (2) (b) 1. e. Information maintained by the department of health and family services under this section and under ss. 48.651 (2m), 48.75 (1m), and 120.13 (14) regarding any denial to the person of a license, continuation or renewal of a license, certification, or a contract to operate an entity for a reason specified in sub. (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to 5. If the information obtained under this subd. 1. e. indicates that the person has been denied a license, continuation or renewal of a license, certification, a contract, employment, or permission to reside as described in this subd. 1. e., the entity need not obtain the information specified in subd. 1. a. to d.

SECTION 1351. 48.685 (2) (c) of the statutes is created to read:
48.685 (2) (c) 1. If the person who is the subject of the search under par. (am) is seeking an initial license to operate a foster home or treatment foster home or is seeking relicensure after a break in licensure, the department, county department, or child welfare agency shall request under 42 USC 16962 (b) a fingerprint–based check of the national crime information databases, as defined in 28 USC 534 (f) (3) (A). The department, county department, or child welfare agency may release any information obtained under this subdivision only as permitted under 42 USC 16962 (e).

2. If the person who is the subject of the search under par. (am) is seeking a license to operate a foster home or treatment foster home or is an adult nonclient resident of the foster home or treatment foster home and if the person is not, or at any time within the 5 years preceding the date of the search has not been, a resident of this state, the department, county department, or child welfare agency shall check any child abuse or neglect registry maintained by any state or other U.S. jurisdiction in which the person is a resident or was a resident within those 5 years for information that is equivalent to the information specified in par. (am) 4. The department, county department, or child welfare agency may not use any information obtained under this subdivision for any purpose other than a search of the person’s background under par. (am).

Section 1352. 48.685 (3) (a) of the statutes is amended to read:

48.685 (3) (a) Every 4 years or at any time within that period that the department, a county department, a child welfare agency, or a school board considers appropriate, the department, county department, child welfare agency, or school board shall request the information specified in sub. (2) (am) 1. to 5. for all persons caregivers specified in sub. (1) (ag) 1. b. who are licensed, certified, or contracted to
operate an entity, for all persons who are nonclient residents of an entity such a caregiver, and for all persons under 18 years of age, but not under 12 years of age, who are caregivers of a day care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (4) or of a day care provider that is certified under s. 48.651.

Section 1353. 48.685 (3) (b) of the statutes is amended to read:

48.685 (3) (b) Every 4 years or at any time within that period that an entity considers appropriate, the entity shall request the information specified in sub. (2) (b) 1. a. to e. for all persons who are caregivers specified in sub. (1) (ag) 1. a. of the entity other than persons under 18 years of age, but not under 12 years of age, who are caregivers of a day care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (14) or of a day care provider that is certified under s. 48.651.

Section 1354. 48.685 (4m) (b) (intro.) of the statutes is amended to read:

48.685 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), an entity may not employ or contract with a caregiver specified in sub. (1) (ag) 1. a. or permit a nonclient resident to reside at the entity if the entity knows or should have known any of the following:

Section 1355. 48.685 (5) (a) of the statutes is amended to read:

48.685 (5) (a) The Subject to par. (bm), the department may license to operate an entity, a county department may certify under s. 48.651, a county department or a child welfare agency may license under s. 48.62 and a school board may contract with under s. 120.13 (14) a person who otherwise may not be licensed, certified or contracted with for a reason specified in sub. (4m) (a) 1. to 5., and an entity may employ, contract with, or permit to reside at the entity a person who otherwise may
not be employed, contracted with, or permitted to reside at the entity for a reason specified in sub. (4m) (b) 1. to 5., if the person demonstrates to the department, the county department, the child welfare agency, or the school board or, in the case of an entity that is located within the boundaries of a reservation, to the person or body designated by the tribe under sub. (5d) (a) 3., by clear and convincing evidence and in accordance with procedures established by the department by rule or by the tribe that he or she has been rehabilitated.

**SECTION 1356.** 48.685 (5) (bm) (intro.) of the statutes is amended to read:

48.685 (5) (bm) (intro.) For purposes of licensing a foster home or treatment foster home for the placement of a child on whose behalf foster care maintenance payments under s. 48.62 (4) will be provided, no person who has been convicted of any of the following offenses may be permitted to demonstrate that he or she has been rehabilitated:

**SECTION 1357.** 48.685 (5c) (a) of the statutes is amended to read:

48.685 (5c) (a) Any person who is permitted but fails under sub. (5) (a) to demonstrate to the department or a child welfare agency that he or she has been rehabilitated may appeal to the secretary of health and family services or his or her designee. Any person who is adversely affected by a decision of the secretary or his or her designee under this paragraph has a right to a contested case hearing under ch. 227.

**SECTION 1358.** 48.685 (8) of the statutes is amended to read:

48.685 (8) The department, the department of health and family services, a county department, a child welfare agency, or a school board may charge a fee for obtaining the information required under sub. (2) (am) or (3) (a) or for providing information to an entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b).
The fee may not exceed the reasonable cost of obtaining the information. No fee may be charged to a nurse’s assistant, as defined in s. 146.40 (1) (d), for obtaining or maintaining information if to do so would be inconsistent with federal law.

**SECTION 1359.** 48.715 (6) of the statutes is amended to read:

48.715 (6) The department of health and family services shall deny, suspend, restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare agency, group home, shelter care facility, or day care center, and the department of corrections shall deny, suspend, restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1) (b) to operate a secured residential care center for children and youth, for failure of the applicant or licensee to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or for failure of the applicant or licensee to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action taken under this subsection is subject to review only as provided in the memorandum of understanding entered into under s. 49.857 and not as provided in s. 48.72.

**SECTION 1360.** 48.743 of the statutes is created to read:

**48.743 Community living arrangements for children.** (1) In this section, “community living arrangement for children” means a residential care center for children and youth or a group home.
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(2) Community living arrangements for children shall be subject to the same building and housing ordinances, codes, and regulations of the municipality or county as similar residences located in the area in which the facility is located.

(3) The department shall designate a subunit to keep records and supply information on community living arrangements for children under ss. 59.69 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving all complaints regarding community living arrangements for children and for coordinating all necessary investigatory and disciplinary actions under the laws of this state and under the rules of the department relating to the licensing of community living arrangements for children.

(4) A community living arrangement for children with a capacity for 8 or fewer persons shall be a permissible use for purposes of any deed covenant which limits use of property to single-family or 2-family residences. A community living arrangement for children with a capacity for 15 or fewer persons shall be a permissible use for purposes of any deed covenant which limits use of property to more than 2-family residences. Covenants in deeds which expressly prohibit use of property for community living arrangements for children are void as against public policy.

(5) If a community living arrangement for children is required to obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall, at the request of the unit of government responsible for granting the special zoning permission, inspect the proposed facility and review the program proposed for the facility. After such inspection and review, the department shall transmit to the unit of government responsible for granting the special zoning permission a statement that the proposed
facility and its proposed program have been examined and are either approved or
disapproved by the department.

SECTION 1361. 48.745 (5) of the statutes is amended to read:

48.745 (5) If the county department designates the department to receive
formal complaints, the subunit under s. 46.03 (22) (c) 48.743 (3) shall receive the
complaints and the department shall have all the powers and duties granted to the
county department in this section.

SECTION 1362. 48.75 (1g) (c) 1. of the statutes is amended to read:

48.75 (1g) (c) 1. A statement that the public licensing agency issuing the license
is responsible has placement and care responsibility for the child as required under
42 USC 672 (a) (2) and has primary responsibility for providing services to the child
who is placed in the foster home, as specified in the agreement.

SECTION 1363. 48.75 (1m) of the statutes is amended to read:

48.75 (1m) Each child welfare agency and public licensing agency shall provide
the subunit of the department that administers s. 48.685 of health and family
services with information about each person who is denied a license for a reason
specified in s. 48.685 (4m) (a) 1. to 5.

SECTION 1364. 48.78 (2) (h) of the statutes is amended to read:

48.78 (2) (h) Paragraph (a) does not prohibit the department, a county
department, or a licensed child welfare agency from entering the content of any
record kept or information received by the department, county department, or
licensed child welfare agency into the statewide automated child welfare
information system established under s. 46.03 48.47 (7g).

SECTION 1365. 48.839 (1) (d) of the statutes is amended to read:
48.839 (1) (d) If custody of the child is transferred under sub. (4) (b) to a county department or child welfare agency before the child is adopted, the department shall periodically bill the guardian and the surety under s. 46.03 (18) (b) or 46.10 49.32 (1) (b) or 49.345 for the cost of care and maintenance of the child until the child is adopted or becomes age 18, whichever is earlier. The guardian and surety shall also be liable under the bond for costs incurred by the department in enforcing the bond against the guardian and surety.

**SECTION 1366.** 48.839 (1) (e) of the statutes is amended to read:

48.839 (1) (e) This section does not preclude the department or any other agency given custody of a child under sub. (4) (b) from collecting under s. 46.03 (18) (b) or 46.10 49.32 (1) (b) or 49.345 from the former guardian for costs in excess of the amount recovered under the bond incurred in enforcing the bond and providing care and maintenance for the child until he or she reaches age 18 or is adopted.

**SECTION 1366m.** 48.84 (1) of the statutes, as created by 2005 Wisconsin Act 293, is amended to read:

48.84 (1) Before a child may be placed under s. 48.833 for adoption by a proposed adoptive parent who has not previously adopted a child, before a proposed adoptive parent who has not previously adopted a child may petition for placement of a child for adoption under s. 48.837, and before a proposed adoptive parent who has not previously adopted a child may bring a child into this state for adoption under s. 48.839, the proposed adoptive parent shall complete the preadoption preparation required under this section. The preparation shall be provided by a licensed child welfare agency, a licensed private adoption agency, the state adoption information exchange under s. 48.55, the state adoption center under s. 48.55, a state-funded foster care and adoption resource center, or a state-funded postadoption resource
center, a technical college district school, or an institution or college campus within
the University of Wisconsin System. If the proposed adoptive parent does not reside
in this state, he or she may meet this requirement by obtaining equivalent
preparation in his or her state of residence.

**SECTION 1367.** 48.88 (2) (am) of the statutes is created to read:

48.88 (2) (am) 1. If the petitioner was required to obtain an initial license to
operate a foster home or treatment foster home before placement of the child for
adoption or relicensure after a break in licensure, the agency making the
investigation shall obtain a criminal history search from the records maintained by
the department of justice and request under 42 USC 16962 (b) a fingerprint–based
check of the national crime information databases, as defined in 28 USC 534 (f) (3)
(A), with respect to the petitioner. The agency may release any information obtained
under this subdivision only as permitted under 42 USC 16962 (e). In the case of a
child on whose behalf adoption assistance payments will be provided under s. 48.975,
if the petitioner has been convicted of any of the offenses specified in s. 48.685 (5) (bm)
1. to 4., the agency may not report that the petitioner’s home is suitable for the child.

2. If the petitioner was required to obtain a license to operate a foster home or
treatment foster home before placement of the child for adoption, the agency making
the investigation shall obtain information maintained by the department regarding
any substantiated reports of child abuse or neglect against the petitioner and any
other adult residing in the petitioner’s home. If the petitioner or other adult residing
in the petitioner’s home is not, or at any time within the 5 years preceding the date
of the search has not been, a resident of this state, the agency shall check any child
abuse or neglect registry maintained by any state or other U.S. jurisdiction in which
the petitioner or other adult is a resident or was a resident within those 5 years for
information that is equivalent to the information maintained by the department regarding substantiated reports of child abuse or neglect. The agency may not use any information obtained under this subdivision for any purpose other than a background search under this subdivision.

**SECTION 1368.** 48.93 (1d) of the statutes is amended to read:

48.93 (1d) All records and papers pertaining to an adoption proceeding shall be kept in a separate locked file and may not be disclosed except under sub. (1g) or (1r), s. 46.03 (29), 48.432, 48.433, 48.434, 48.48 (17) (a) 9. or 48.57 (1) (j), or by order of the court for good cause shown.

**SECTION 1369.** 48.98 (2) (d) of the statutes is amended to read:

48.98 (2) (d) The department shall periodically bill the person who filed the bond and the surety under s. 46.03 (18) (b) or 46.10 49.32 (1) (b) or 49.345 for the cost of care and maintenance of the child until the child is adopted or becomes age 18, whichever is earlier. The guardian and surety shall also be liable under the bond for costs incurred by the department in enforcing the bond.

**SECTION 1370.** 48.981 (3) (c) 8. of the statutes is amended to read:

48.981 (3) (c) 8. Using the format prescribed by the department, each county department shall provide the department with information about each report that the county department receives or that is received by a licensed child welfare agency that is under contract with the county department and about each investigation that the county department or a licensed child welfare agency under contract with the county department conducts. Using the format prescribed by the department, a licensed child welfare agency under contract with the department shall provide the department with information about each report that the child welfare agency receives and about each investigation that the child welfare agency conducts. This
The department shall use the information to monitor services provided by county departments or licensed child welfare agencies under contract with county departments or the department. The department shall use nonidentifying information to maintain statewide statistics on child abuse and neglect and on unborn child abuse, and for planning and policy development purposes.

SECTION 1371. 48.981 (7) (dm) of the statutes is amended to read:

48.981 (7) (dm) Notwithstanding par. (a), an agency may enter the content of any report or record maintained by the agency into the statewide automated child welfare information system established under s. 46.03 48.47 (7g).

SECTION 1372. 48.981 (8) (a) of the statutes is amended to read:

48.981 (8) (a) The department, the county departments, and a licensed child welfare agency under contract with the department in a county having a population of 500,000 or more to the extent feasible shall conduct continuing education and training programs for staff of the department, the county departments, licensed child welfare agencies under contract with the department or a county department, law enforcement agencies, and the tribal social services departments, persons and officials required to report, the general public, and others as appropriate. The programs shall be designed to encourage reporting of child abuse and neglect and of unborn child abuse, to encourage self-reporting and voluntary acceptance of services and to improve communication, cooperation, and coordination in the identification, prevention, and treatment of child abuse and neglect and of unborn child abuse. Programs provided for staff of the department, county departments, and licensed child welfare agencies under contract with county departments or the department whose responsibilities include the investigation or treatment of child abuse or
neglect shall also be designed to provide information on means of recognizing and appropriately responding to domestic abuse, as defined in s. 46.95 49.165 (1) (a). The department, the county departments, and a licensed child welfare agency under contract with the department in a county having a population of 500,000 or more shall develop public information programs about child abuse and neglect and about unborn child abuse.

SECTION 1373. 48.981 (8) (d) 1. of the statutes is amended to read:

48.981 (8) (d) 1. Each agency staff member and supervisor whose responsibilities include investigation or treatment of child abuse and neglect or of unborn child abuse shall successfully complete training in child abuse and neglect protective services and in unborn child abuse protective services approved by the department. The training shall include information on means of recognizing and appropriately responding to domestic abuse, as defined in s. 46.95 49.165 (1) (a). The department shall monitor compliance with this subdivision according to rules promulgated by the department.

SECTION 1374. 48.982 (2) (g) (intro.) of the statutes is amended to read:

48.982 (2) (g) (intro.) In coordination with the departments of health and family services and department and the department of public instruction:

SECTION 1383. 48.985 (1) of the statutes is amended to read:

48.985 (1) Federal Program Operations. From the appropriation under s. 20.435 (3) 20.437 (1) (n), the department shall expend not more than $273,700 in each fiscal year of the moneys received under 42 USC 620 to 626 for the department’s expenses in connection with administering the expenditure of funds received under 42 USC 620 to 626 and for child abuse and neglect and unborn child abuse independent investigations.
SECTION 1384. 48.985 (2) of the statutes is amended to read:

48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the appropriation under s. 20.435 (7) 20.437 (1) (o), the department shall distribute not more than $3,809,600 $3,554,300 in each fiscal year of the moneys received under 42 USC 620 to 626 to county departments under ss. 46.215, 46.22, and 46.23 for the provision or purchase of child welfare projects and services, for services to children and families, for services to the expectant mothers of unborn children, and for family-based child welfare services.

SECTION 1385. 48.985 (4) of the statutes is amended to read:

48.985 (4) RUNAWAY SERVICES. From the appropriation under s. 20.435 (3) 20.437 (1) (na) for runaway services, not more than $458,600 in each fiscal year.

SECTION 1386. 48.985 (5) of the statutes is repealed.

SECTION 1387. 48.989 (1) (a) of the statutes is amended to read:

48.989 (1) (a) “Appropriate authority in the receiving state” means the department of health and family services.

SECTION 1388. 48.989 (1) (b) of the statutes is amended to read:

48.989 (1) (b) “Appropriate public authorities” means the department of health and family services, which shall receive and act with reference to notices required by s. 48.988 (3).

SECTION 1389. Chapter 49 (title) of the statutes is amended to read:

CHAPTER 49

PUBLIC ASSISTANCE AND

CHILDREN AND FAMILY SERVICES

SECTION 1390. 49.001 (9) of the statutes is amended to read:
49.001 (9) “Wisconsin works Works agency” means a person under contract under s. 49.143 to administer Wisconsin works Works under ss. 49.141 to 49.161. If no contract is awarded under s. 49.143, “Wisconsin works Works agency” means the department of workforce development children and families.

SECTION 1390. 49.02 (2) (c) of the statutes is repealed.

SECTION 1391. 49.025 (2) (a) 2. of the statutes is amended to read:

49.025 (2) (a) 2. The department shall subtract from the amount determined under subd. 1. amounts paid to hospitals in that county under s. 49.45 (6y) and (6z) in that year and amounts paid on behalf of individuals in that county under the demonstration project under s. 49.45 (23) in that year. If the amount determined under this subdivision is less than zero, the amount of the relief block grant is $0.

SECTION 1392. 49.029 (3) of the statutes is amended to read:

49.029 (3) USE OF RELIEF BLOCK GRANT FUNDS. A tribal governing body may use moneys received as a relief block grant only for the purpose of providing health care services to dependent persons. Notwithstanding s. 49.01 (2g), health care services may include treatment services for alcohol and other drug abuse and mental health services.

SECTION 1393. Subchapter III (title) of chapter 49 [precedes 49.11] of the statutes is amended to read:

CHAPTER 49

SUBCHAPTER III

ECONOMIC CHILDREN AND FAMILY SUPPORT AND WORK PROGRAMS SERVICES

SECTION 1394. 49.11 (1) of the statutes is amended to read:
49.11 (1) “Department” means the department of workforce development children and families.

SECTION 1396. 49.11 (2) of the statutes is amended to read:

49.11 (2) “Secretary” means the secretary of workforce development children and families.

SECTION 1397. 49.13 (title) of the statutes is renumbered 49.79 (9) (title).

SECTION 1398. 49.13 (1) of the statutes is repealed.

SECTION 1399. 49.13 (2) (a) of the statutes is renumbered 49.79 (9) (a) 1. and amended to read:

49.79 (9) (a) 1. The department shall contract with the department of health and family services as provided under s. 49.79 (10) to administer an employment and training program for recipients under the food stamp program and may contract under s. 49.78 with county departments under ss. 46.215, 46.22, and 46.23, and with tribal governing bodies to carry out the administrative functions. The department may contract, or a county department or tribal governing body may subcontract, with a Wisconsin works Works agency or another provider to administer the employment and training program under this subsection. Except as provided in paras. (b) and (bm) subds. 2. and 3., the department may require able individuals who are 18 to 60 years of age who are not participants in a Wisconsin works Works employment position to participate in the employment and training program under this subsection.

SECTION 1400. 49.13 (2) (b) of the statutes is renumbered 49.79 (9) (a) 2. and amended to read:

49.79 (9) (a) 2. The department may not require an individual who is a recipient under the food stamp program and who is the caretaker of a child who is under the
Section 1400

Section 1401. 49.13 (2) (bm) of the statutes is renumbered 49.79 (9) (a) 3. and amended to read:

49.79 (9) (a) 3. The department may not require an individual who is a recipient under the food stamp program to participate in any employment and training program under par. (a) this subsection if that individual is enrolled at least half time in a school, as defined in s. 49.26 (1) (a) 2., a training program, or an institution of higher education.

Section 1402. 49.13 (2) (cm) of the statutes is renumbered 49.79 (9) (a) 4.

Section 1403. 49.13 (2) (d) of the statutes is renumbered 49.79 (9) (a) 5. and amended to read:

49.79 (9) (a) 5. A participant in an employment and training program under this section subsection administered by the department is an employee of the department for purposes of worker’s compensation coverage, except to the extent that the person for whom the participant is performing work provides worker’s compensation coverage. A participant in an employment and training program under this section subsection administered by a Wisconsin works Works agency or another provider is an employee of the Wisconsin works Works agency or other provider for purposes of worker’s compensation coverage, except to the extent that the person for whom the participant is performing work provides worker’s compensation coverage.

Section 1404. 49.13 (3) (intro.) of the statutes is renumbered 49.79 (9) (b) (intro.) and amended to read:
49.79 (9) (b) (intro.) An individual who fails to comply with the work requirements under sub. (2) par. (a) without good cause is ineligible to participate in the food stamp program under s. 49.79 as follows:

**SECTION 1405.** 49.13 (3) (a) of the statutes is renumbered 49.79 (9) (b) 1. and amended to read:

49.79 (9) (b) 1. For the first occurrence of noncompliance, one month, or until the person complies with the work requirements under sub. (2) par. (a), whichever is later.

**SECTION 1406.** 49.13 (3) (b) of the statutes is renumbered 49.79 (9) (b) 2. and amended to read:

49.79 (9) (b) 2. For the 2nd occurrence of noncompliance, 3 months, or until the person complies with the work requirements under sub. (2) par. (a), whichever is later.

**SECTION 1407.** 49.13 (3) (c) of the statutes is renumbered 49.79 (9) (b) 3. and amended to read:

49.79 (9) (b) 3. For the 3rd and subsequent occurrences of noncompliance, 6 months, or until the person complies with the work requirements under sub. (2) par. (a), whichever is later.

**SECTION 1407c.** 49.134 (2) (a) of the statutes is amended to read:

49.134 (2) (a) From the allocation under s. 49.155 (1g) (d), the department shall make grants to local agencies to fund child care resource and referral services provided by those local agencies. The department shall provide an allocation formula to determine the amount of a grant awarded under this section.

**SECTION 1407e.** 49.136 (2) (a) of the statutes is amended to read:
49.136 (2) (a) From the allocation under s. 49.155 (1g) (4), the department may
award grants for the start-up or expansion of child care services.

SECTION 1407g. 49.137 (2) (a) of the statutes is amended to read:
49.137 (2) (a) From the allocation under s. 49.155 (1g) (4), the department may
award grants to child care providers that meet the quality of care standards
established under s. 49.155 (1d) (b) to improve the retention of skilled and
experienced child care staff. In awarding grants under this subsection, the
department shall consider the applying child care provider’s total enrollment of
children and average enrollment of children who receive or are eligible for publicly
funded care from the child care provider.

SECTION 1407h. 49.137 (3) (a) of the statutes is amended to read:
49.137 (3) (a) From the allocation under s. 49.155 (1g) (4), the department may
award grants to child care providers for assistance in meeting the quality of care
standards established under s. 49.155 (1d) (b).

SECTION 1407i. 49.137 (4) (intro.) of the statutes is amended to read:
49.137 (4) TRAINING AND TECHNICAL ASSISTANCE CONTRACTS. (intro.) From the
allocation under s. 49.155 (1g) (4), the department may contract with one or more
agencies for the provision of training and technical assistance to improve the quality
of child care provided in this state. The training and technical assistance activities
contracted for under this subsection may include any of the following activities:

SECTION 1407j. 49.137 (4m) of the statutes is amended to read:
49.137 (4m) LOCAL PASS-THROUGH GRANT PROGRAM. From the allocation under
s. 49.155 (1g) (4), the department shall award grants to local governments and tribal
governing bodies for programs to improve the quality of child care. The department
shall promulgate rules to administer the grant program, including rules that specify the eligibility criteria and procedures for awarding the grants.

**SECTION 1407j.** 49.138 (1m) (intro.) of the statutes is amended to read:

49.138 (1m) (intro.) The department shall implement a program of emergency assistance to needy persons in cases of fire, flood, natural disaster, homelessness or impending homelessness, or energy crisis. The department shall establish the maximum amount of aid to be granted, except for cases of energy crisis, per family member based on the funding available under s. 20.445 (3) and (md). The department need not establish the maximum amount by rule under ch. 227. The department shall publish the maximum amount and annual changes to it in the Wisconsin administrative register. Emergency assistance provided to needy persons under this section may only be provided to a needy person once in a 12–month period. Emergency assistance provided to needy persons under this section in cases of homelessness or impending homelessness may be used only to obtain or retain a permanent living accommodation. For the purposes of this section, a family is considered to be homeless, or to be facing impending homelessness, if any of the following applies:

**SECTION 1409.** 49.143 (2) (b) of the statutes is amended to read:

49.143 (2) (b) Establish a children’s services network. The children’s services network shall provide information about community resources available to the dependent children in a Wisconsin works group, including charitable food and clothing centers; subsidized and low–income housing; transportation subsidies; the state supplemental food program for women, infants and children under s. 253.06 49.17; and child care programs. In a county having a population of 500,000 or more, a children’s services network shall, in addition, provide a forum for those persons
who are interested in the delivery of child welfare services and other services to
children and families in the geographical area under sub. (6) served by that
children's services network to communicate with and make recommendations to the
providers of those services in that geographical area with respect to the delivery of
those services in that area.

SECTION 1409j. 49.147 (2) (b) of the statutes is renumbered 49.147 (2) (a) 3. and
amended to read:

49.147 (2) (a) 3. Job search assistance. A Wisconsin works agency shall assist a participant in his or her search for unsubsidized employment. In determining an appropriate placement for a participant, a Wisconsin works agency shall give priority to placement in unsubsidized employment over placements under subs. (3) to (5).

SECTION 1409m. 49.147 (2) (bm) of the statutes is created to read:

49.147 (2) (bm) Case management services. 1. In lieu of placing the individual in a Wisconsin Works employment position under subs. (3) to (5), the department may provide case management services, which may include those services specified in s. 49.1475, to an individual who applies for a Wisconsin Works employment position if the department determines all of the following:

a. The individual meets the eligibility requirements under s. 49.145 (2) and (3).

b. The individual is willing to work and has no barriers to employment.

c. The individual is job-ready, based on the individual's employment history or education.

d. The most appropriate placement for the individual is in unsubsidized employment.
2. In determining an appropriate placement for an applicant, a Wisconsin Works agency shall give priority to placement in unsubsidized employment and providing case management services over placements under subs. (3) to (5).

**SECTION 1410.** 49.147 (3m) of the statutes is created to read:

49.147 (3m) **REAL WORK, REAL PAY PILOT PROJECT.** (a) **Administration and evaluation.** Except as provided in par. (d), the department shall conduct and evaluate a real work, real pay pilot project from January 1, 2008, to December 31, 2009.

(b) **Eligibility and project limits.** 1. Except as specifically provided in this subsection, all general and nonfinancial eligibility requirements under s. 49.145 apply to participants under this subsection, and all requirements under sub. (3), as they apply to Wisconsin Works agencies, employers, and participants, apply to Wisconsin Works agencies, employers, and participants under this subsection.

2. The project shall be limited to 100 individuals and shall be conducted in at least one of the geographical areas established by the department under s. 49.143 (6) that is in Milwaukee County and in at least 2 of those geographical areas that are not in Milwaukee County.

(c) **Employer subsidies and reimbursements.** The Wisconsin Works agency shall pay an employer that employs a participant under this subsection a monthly wage subsidy that does not exceed the federal minimum wage for no more than 30 hours of work per week. Worksite training activities prescribed by the employer that are consistent with training provided to other employees at the worksite are considered work for purposes of calculating the wage subsidy under this paragraph.

In addition to the wage subsidy, the Wisconsin Works agency shall reimburse the
employer for up to 100 percent of all of the following costs that are attributable to employment of the participant:

1. Federal social security taxes.
2. State and federal unemployment contributions or taxes, if any.
3. Worker's compensation insurance premiums, if any.

(d) *Time-limited participation and payment extension.* An individual may participate in the project under this subsection for a maximum of 6 months, with an opportunity for an extension of up to 3 months. Notwithstanding the ending date for the project, payments under par. (c) for any participant who is accepted into the project before December 31, 2009, shall be made until the participant completes his or her 6-month participation period or any extension to it already commenced before that date.

(e) *Mentors and stipends.* The Wisconsin Works agency and employer of a participant under this subsection shall work together to find a mentor for the participant at the participant’s work site. The Wisconsin Works agency shall pay each mentor a monthly stipend of $50.

(f) *Employer effort to retain, refer, or evaluate participant.* An employer that employs a participant under this subsection and receives a wage subsidy shall agree to make a good faith effort to retain the participant as a permanent unsubsidized employee after the wage subsidy ends if the participant successfully completes participation in the project under this subsection. An employer shall also agree that, if the employer does not retain a participant as a permanent unsubsidized employee, the employer will serve as an employment reference for the participant or provide to the Wisconsin Works agency a written performance evaluation of the participant, including recommendations for improvements.
SECTI ON 1411. 49.147 (6) (c) of the statutes is amended to read:

49.147 (6) (c) Distribution and administration. From the appropriation under s. 20.445 (3) 20.437 (2) (jL), the department shall distribute funds for job access loans to a Wisconsin Works agency, which shall administer the loans in accordance with rules promulgated by the department.

SECTI ON 1412. 49.147 (6) (cm) 1. of the statutes is amended to read:

49.147 (6) (cm) 1. The department of workforce development may, in the manner provided in s. 49.85, collect job access loan repayments that are delinquent under the terms of a repayment agreement. The department of workforce development shall credit all delinquent repayments collected by the department of revenue as a setoff under s. 71.93 to the appropriation account under s. 20.445 (3) 20.437 (2) (jL). Use of the process under s. 49.85 does not preclude the department of workforce development from collecting delinquent repayments through other legal means.

SECTI ON 1413c. 49.148 (1m) (title) of the statutes is amended to read:

49.148 (1m) (title) Custodial parent of infant; unmarried, pregnant woman.

SECTI ON 1414c. 49.148 (1m) (a) (intro.) of the statutes is created to read:

49.148 (1m) (a) (intro.) Any of the following may receive a monthly grant of $673:

SECTI ON 1415c. 49.148 (1m) (a) of the statutes is renumbered 49.148 (1m) (a) 1. and amended to read:

49.148 (1m) (a) 1. An individual who meets the eligibility requirements under s. 49.145 (2) and (3) and who is a custodial parent of a child who is 12 weeks old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant of $673, unless another adult member of the custodial
parent’s Wisconsin works Works group is participating in, or is eligible to participate in, a Wisconsin works Works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c).

(bm) A Wisconsin works Works agency may not require a participant under this subsection to participate in any employment positions.

(c) 1. Receipt of a grant under this subsection by a participant under par. (a) 1. does not constitute participation in a Wisconsin works Works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b) or (5)
(b) 2. if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works Works employment position.

SECTION 1416c. 49.148 (1m) (a) 2. of the statutes is created to read:

49.148 (1m) (a) 2. An unmarried woman who would be eligible under s. 49.145 except that she is not a custodial parent of a dependent child and who is in the 3rd trimester of a pregnancy that is medically verified and that is shown by medical documentation to be at risk and to render the woman unable to participate in the workforce.

SECTION 1417c. 49.148 (1m) (b) of the statutes is renumbered 49.148 (1m) (c) 2. and amended to read:

49.148 (1m) (c) 2. Receipt of a grant under this subsection by a participant under par. (a) 1. constitutes participation in a Wisconsin works Works employment position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b) or (5) (b) 2. if the child is born to the participant more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works Works employment position unless the child was
conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician and to law enforcement authorities.

SECTION 1418c. 49.148 (1m) (c) (intro.) of the statutes is created to read:

49.148 (1m) (c) (intro.) For purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b), and (5) (b) 2., all of the following apply:

SECTION 1419c. 49.148 (1m) (c) 3. of the statutes is created to read:

49.148 (1m) (c) 3. Receipt of a grant under this subsection by a participant under par. (a) 2. does not constitute participation in a Wisconsin Works employment position.

SECTION 1419g. 49.152 (1) of the statutes is amended to read:

49.152 (1) PETITION FOR REVIEW. Any individual whose application for any component of Wisconsin Works is not acted upon by the Wisconsin Works agency with reasonable promptness after the filing of the application, as defined by the department by rule, or is denied in whole or in part, whose benefit is modified or canceled, or who believes that the benefit was calculated incorrectly or that the employment position in which the individual was placed or providing case management services under s. 49.147 (2) (bm) in lieu of placement in a Wisconsin Works employment position is inappropriate, may petition the Wisconsin Works agency for a review of such action. Review is unavailable if the action by the Wisconsin Works agency occurred more than 45 days prior to submission of the petition for review.

SECTION 1419k. 49.152 (3) (a) of the statutes is amended to read:
49.152 (3) (a) If, following review under sub. (2), the Wisconsin works Works agency or the department determines that an individual, whose application for a Wisconsin works Works employment position was denied based on eligibility, was in fact eligible, or that the individual was placed in an inappropriate Wisconsin works Works employment position or inappropriately provided case management services under s. 49.147 (2) (bm) in lieu of placement in a Wisconsin Works employment position, the Wisconsin works Works agency shall place the individual in the first available Wisconsin works Works employment position that is appropriate for that individual, as determined by the Wisconsin works Works agency or the department. An individual who is placed in a Wisconsin works Works employment position under this paragraph is eligible for the benefit for that position under s. 49.148 beginning on the date on which the individual begins participation under s. 49.147.

SECTION 1420f. 49.155 (1) (intro.) of the statutes is amended to read:

49.155 (1) DEFINITIONS. (intro.) In this section, except as otherwise provided:

SECTION 1420m. 49.155 (1g) of the statutes is repealed and recreated to read:

49.155 (1g) DISTRIBUTION OF FUNDS. Within the limits of the availability of the federal child care and development block grant funds received under 42 USC 9858, the department shall do all of the following:

(a) Subject to sub. (1j), spend no more than the minimum amount required under 42 USC 9858 on programs to improve the quality and availability of child care. From the appropriations under s. 20.445 (3) (cm), (kx), (mc), and (md), the department shall allocate and distribute funding in each fiscal year for all of the following:

1. A child care scholarship and bonus program, in the amount of at least $3,475,000 per fiscal year.
2. Grants under s. 49.134 (2) for child day care resource and referral services, in the amount of at least $1,225,000 per fiscal year.

3. A transfer to the appropriation account under s. 20.435 (3) (kx) for child care licensing activities, in the amount of at least $4,800,600 per fiscal year.

4. Grants under s. 49.137 (4m).

5. Contracts under s. 49.137 (4) for training and technical assistance.

6. The department’s share of the costs for the Child Care Information Center operated by the division for libraries, technology, and community learning in the department of public instruction.

(b) Subject to sub. (1j), from the appropriations under s. 20.445 (3) (cm), (kx), and (mc), distribute $1,765,600 in fiscal year 2007–08 and $1,600,300 in fiscal year 2008–09 for administration of the department's office of child care.

SECTION 1420n. 49.155 (1g) (a) (intro.) and 3. and (b) of the statutes, as affected by 2007 Wisconsin Act ..., (this act), are amended to read:

49.155 (1g) (a) (intro.) Subject to sub. (1j), spend no more than the minimum amount required under 42 USC 9858 on programs to improve the quality and availability of child care. From the appropriations under s. 20.445 (3) 20.437 (2) (cm), (kx), (mc), and (md), the department shall allocate and distribute funding in each fiscal year for all of the following:

3. A transfer to the appropriation account under s. 20.435 (3) 20.437 (1) (kx) for child care licensing activities, in the amount of at least $4,800,600 per fiscal year.

(b) Subject to sub. (1j), from the appropriations under s. 20.445 (3) 20.437 (2) (cm), (kx), and (mc), distribute $1,765,600 in fiscal year 2007–08 and $1,600,300 in fiscal year 2008–09 for administration of the department’s office of child care.

SECTION 1425. 49.155 (1m) (a) 3m. of the statutes is amended to read:
49.155 (1m) (a) 3m. Participate in a job search or work experience component of the food stamp employment and training program under s. 49.13 49.79 (9).

SECTION 1433. 49.159 (3) of the statutes is amended to read:

49.159 (3) OTHER CUSTODIAL PARENTS. A custodial parent in a Wisconsin works Works group in which the other custodial parent is a participant in a Wisconsin works Works employment position or is receiving case management services under s. 49.147 (2) (bm) is eligible for employment training and job search assistance services provided by the Wisconsin works Works agency.

SECTION 1433t. 49.159 (4) of the statutes is amended to read:

49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically verified, who would be eligible under s. 49.145 except that she is not a custodial parent of a dependent child, and who does not satisfy the requirements under s. 49.148 (1m) (a) 2. is eligible for employment training and job search assistance services provided by the Wisconsin works Works agency.

SECTION 1434. 49.1635 (1) of the statutes is amended to read:

49.1635 (1) To the extent permitted under federal law and subject to sub. (2), from the appropriation under s. 20.445 (3) 20.437 (2) (md) the department may distribute funds to the Wisconsin Trust Account Foundation in an amount up to the amount received by the foundation from private donations, but not to exceed $100,000 in a fiscal year. Except as provided in sub. (4), funds distributed under this subsection may be used only for the provision of legal services to individuals who are eligible for temporary assistance for needy families under 42 USC 601 et seq. and whose incomes are at or below 200% of the poverty line.

SECTION 1435. 49.175 (1) (intro.) of the statutes is amended to read:
49.175 (1) **ALLOCATION OF FUNDS.** (intro.) Except as provided in sub. (2), within the limits of the appropriations under s. 20.445 (3) 20.437 (2) (a), (cm), (dz), (k), (kx), (L), (mc), (md), (me), and (s), the department shall allocate the following amounts for the following purposes:

**SECTION 1436.** 49.175 (1) (a) of the statutes is amended to read:


**SECTION 1437.** 49.175 (1) (b) of the statutes is amended to read:

49.175 (1) (b) **Wisconsin Works administration.** For administration of Wisconsin Works performed under contracts under s. 49.143, $18,999,900 $10,701,100 in fiscal year 2005–06 2007–08 and $16,834,100 $10,701,100 in fiscal year 2006–07 2008–09.

**SECTION 1438.** 49.175 (1) (c) of the statutes is repealed.

**SECTION 1439.** 49.175 (1) (f) of the statutes is amended to read:

49.175 (1) (f) **Wisconsin Works ancillary services.** For program services under Wisconsin Works provided under contracts under s. 49.143, $49,534,800 $38,471,500 in fiscal year 2005–06 2007–08 and $43,463,000 $38,471,500 in fiscal year 2006–07 2008–09.

**SECTION 1440.** 49.175 (1) (g) of the statutes is amended to read:

49.175 (1) (g) **State administration of public assistance programs.** For state administration of public assistance programs, $16,060,000 $16,670,100 in each fiscal year 2007–08 and $16,868,500 in fiscal year 2008–09.

**SECTION 1441.** 49.175 (1) (i) of the statutes is amended to read:
49.175 (1) (i) **Emergency assistance.** For emergency assistance under s. 49.138, $4,500,000 $6,000,000 in each fiscal year.

**SECTION 1442.** 49.175 (1) (p) of the statutes, as affected by 2007 Wisconsin Act 5, is amended to read:

49.175 (1) (p) **Direct child care services.** For direct child care services under s. 49.155, $310,332,100 $340,601,800 in fiscal year 2005–06 2007–08 and $343,432,100 $355,352,000 in fiscal year 2006–07 2008–09.

**SECTION 1443c.** 49.175 (1) (q) of the statutes is amended to read:

49.175 (1) (q) **Indirect child care services state administration.** For indirect administration of child care services under s. 49.155 (1g), $9,926,700 (b), $1,765,600 in fiscal year 2005–06 2007–08 and $9,929,000 $1,600,300 in fiscal year 2006–07 2008–09.

**SECTION 1444.** 49.175 (1) (qm) of the statutes is amended to read:

49.175 (1) (qm) **Quality care for quality kids.** For the child care quality improvement activities specified in s. 49.155 (1g) (d), $3,378,500 (a), $5,311,000 in each fiscal year.

**SECTION 1444c.** 49.175 (1) (qs) of the statutes is created to read:

49.175 (1) (qs) **Child care licensing.** For child care licensing, at least $4,800,600 in each fiscal year.

**SECTION 1445.** 49.175 (1) (r) of the statutes is repealed.

**SECTION 1447b.** 49.175 (1) (z) of the statutes is amended to read:

49.175 (1) (z) **Grants to the Boys and Girls Clubs of America.** For grants to the Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that improve social, academic, and employment skills of youth who are eligible to receive
temporary assistance for needy families under 42 USC 601 et seq., $300,000
$350,000 in each fiscal year.

SECTION 1448. 49.175 (1) (ze) (title) of the statutes is amended to read:

49.175 (1) (ze) (title) Programs administered by the department of health and family services relating to children and families.

SECTION 1449. 49.175 (1) (ze) 1. of the statutes is amended to read:

49.175 (1) (ze) 1. ‘Kinship care and long-term kinship care assistance.’ For the kinship care and long-term kinship care programs under s. 48.57 (3m), (3n), and (3p), $23,034,200 in fiscal year 2005–06 and $22,686,300 $23,579,800 in each fiscal year 2006–07.

SECTION 1450. 49.175 (1) (ze) 2. of the statutes is amended to read:

49.175 (1) (ze) 2. ‘Children of recipients of supplemental security income.’ For payments made under s. 49.775 for the support of the dependent children of recipients of supplemental security income, $30,444,000 $30,094,700 in fiscal year 2005–06 2007–08 and $30,394,000 $30,094,700 in fiscal year 2006–07 2008–09.

SECTION 1451. 49.175 (1) (ze) 10m. of the statutes is amended to read:

49.175 (1) (ze) 10m. ‘Safety and out-of-home placement services.’ For services provided in counties having a population of 500,000 or more to ensure the safety of children who the department of health and family services determines may remain at home if appropriate services are provided, $5,707,200 and for ongoing services provided in those counties to families with children placed in out-of-home care, $5,631,300 in each fiscal year.

SECTION 1452. 49.175 (1) (ze) 10m. of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:
49.175 (1) (ze) 10m. ‘Safety and out-of-home placement services.’ For services provided in counties having a population of 500,000 or more to ensure the safety of children who the department of health and family services determines may remain at home if appropriate services are provided, and for ongoing services provided in those counties to families with children placed in out-of-home care, $5,631,300 in each fiscal year.

SECTION 1453. 49.175 (1) (ze) 12. of the statutes is amended to read:

49.175 (1) (ze) 12. ‘Milwaukee and statewide child welfare administration.’ For the costs associated with the Milwaukee child welfare information system and the Wisconsin statewide automated child welfare information system, $1,310,800 $1,510,500 in fiscal year 2005-06 2007-08 and $1,317,700 $1,532,100 in fiscal year 2006-07 2008-09.

SECTION 1454. 49.175 (1) (zh) of the statutes, as affected by 2007 Wisconsin Act 5, is amended to read:

49.175 (1) (zh)  Earned income tax credit supplement. For the transfer of moneys from the appropriation account under s. 20.445 (3) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit, $55,232,000 $21,125,400 in fiscal year 2005-06 and $25,232,000 in fiscal year 2006-07 2007-08 and $6,664,200 in fiscal year 2008-09.

SECTION 1455. 49.175 (1) (zh) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

49.175 (1) (zh)  Earned income tax credit supplement. For the transfer of moneys from the appropriation account under s. 20.445 (3) 20.437 (2) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit, $21,125,400 in fiscal year 2007-08 and $6,664,200 in fiscal year 2008-09.
SECTION 1456. 49.175 (2) (c) of the statutes is amended to read:

49.175 (2) (c) If the amounts of federal block grant moneys that are required to be credited to the appropriation accounts under s. 20.445 (3) 20.437 (2) (mc) and (md) are less than the amounts appropriated under s. 20.445 (3) 20.437 (2) (mc) and (md), the department shall submit a plan to the secretary of administration for reducing the amounts of moneys allocated under sub. (1). If the secretary of administration approves the plan, the amounts of moneys required to be allocated under sub. (1) may be reduced as proposed by the department and the department shall allocate the moneys as specified in the plan.

SECTION 1459. 49.19 (1) (a) 2. b. of the statutes is amended to read:

49.19 (1) (a) 2. b. Is living in a foster home or treatment foster home licensed under s. 48.62 if a license is required under that section, in a foster home or treatment foster home located within the boundaries of a federally recognized American Indian reservation in this state and licensed by the tribal governing body of the reservation, in a group home licensed under s. 48.625, or in a residential care center for children and youth licensed under s. 48.60, and has been placed in the foster home, treatment foster home, group home, or center by a county department under s. 46.215, 46.22, or 46.23, by the department of health and family services, by the department of corrections, or by a federally recognized American Indian tribal governing body in this state under an agreement with a county department.

SECTION 1460. 49.19 (10) (a) of the statutes is amended to read:

49.19 (10) (a) Aid under this section may also be granted to a nonrelative who cares for a child dependent upon the public for proper support in a foster home or treatment foster home having a license under s. 48.62, in a foster home or treatment foster home located within the boundaries of a federally recognized American Indian
reservation in this state and licensed by the tribal governing body of the reservation or in a group home licensed under s. 48.625, regardless of the cause or prospective period of dependency. The state shall reimburse counties pursuant to the procedure under s. 46.495 48.569 (2) and the percentage rate of participation set forth in s. 46.495 48.569 (1) (d) for aid granted under this subsection except that if the child does not have legal settlement in the granting county, state reimbursement shall be at 100%. The county department under s. 46.215 or 46.22 shall determine the legal settlement of the child. A child under one year of age shall be eligible for aid under this subsection irrespective of any other residence requirement for eligibility within this section.

SECTION 1461. 49.19 (10) (d) of the statutes is amended to read:

49.19 (10) (d) Aid may also be paid under this section to a licensed foster home, treatment foster home, group home, or residential care center for children and youth by the state when the child is in the custody or guardianship of the state, when the child is a ward of an American Indian tribal court in this state and the placement is made under an agreement between the department and the tribal governing body, or when the child was part of the state's direct service case load and was removed from the home of a relative specified in sub. (1) (a) as a result of a judicial determination that continuance in the home of a relative would be contrary to the child's welfare for any reason and the child is placed by the department of health and family services or the department of corrections.

SECTION 1462. 49.19 (11) (a) 1. a. of the statutes is amended to read:

49.19 (11) (a) 1. a. Except as provided in subs. (11m) and (11s), monthly payments made under s. 20.445 (3) 20.437 (2) (dz) and (md) to persons or to families with dependent children shall be based on family size and shall be at 80% of the total
of the allowances under subds. 2. and 4. plus the following standards of assistance beginning on September 1, 1987:

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<tr>
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<th>AREA II</th>
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<tr>
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</table>

**SECTION 1462.** 49.19 (11s) (d) of the statutes is amended to read:

49.19 (11s) (d) From the appropriation under s. 20.445 (3) 20.437 (2) (a), the department may award grants to county departments under ss. 46.215, 46.22 and 46.23 for providing education services relating to family planning, as defined in s. 253.07 (1) (a), to persons who are subject to par. (b).

**SECTION 1463.** 49.19 (11s) (d) of the statutes is amended to read:

49.19 (11s) (d) From the appropriation under s. 20.445 (3) 20.437 (2) (a), the department may award grants to county departments under ss. 46.215, 46.22 and 46.23 for providing education services relating to family planning, as defined in s. 253.07 (1) (a), to persons who are subject to par. (b).

**SECTION 1464.** 49.195 (3r) of the statutes is amended to read:

49.195 (3r) From the appropriation under s. 20.445 (3) 20.437 (2) (L) the department may contract with or employ a collection agency or other person to enforce a repayment obligation of a person who is found liable under sub. (3) who is delinquent in making repayments.

**SECTION 1465.** 49.197 (1m) of the statutes is amended to read:

49.197 (1m) **FRAUD INVESTIGATION.** From the appropriations under s. 20.445 (3) 20.437 (2) (dz), (kx), (L), (md), (n), and (nL), the department shall establish a program to investigate suspected fraudulent activity on the part of recipients of aid to families with dependent children under s. 49.19, on the part of participants in the Wisconsin Works program under ss. 49.141 to 49.161, and, if the department of health and
family services contracts with the department under sub. (5), on the part of recipients
of medical assistance under subch. IV, food stamp benefits under the food stamp
program under 7 USC 2011 to 2036, supplemental security income payments under
s. 49.77, payments for the support of children of supplemental security income
recipients under s. 49.775, and health care benefits under the Badger Care health
care program under s. 49.665. The department’s activities under this subsection may
include, but are not limited to, comparisons of information provided to the
department by an applicant and information provided by the applicant to other
federal, state, and local agencies, development of an advisory welfare investigation
prosecution standard, and provision of funds to county departments under ss.
46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to
detect fraud. The department shall cooperate with district attorneys regarding
fraud prosecutions.

**SECTION 1465m.** 49.197 (2) of the statutes is created to read:

49.197 (2) **Fraud investigation by counties and tribal governing bodies.** (a) In this subsection, “tribal governing body” means an elected governing body of a
federally recognized American Indian tribe.

(b) A county or tribal governing body may establish a program to investigate
suspected fraudulent activity on the part of participants in the Wisconsin Works
program under this subchapter, including persons receiving a child care subsidy
under s. 49.155, and to recover incorrect payments made or incorrect benefits
provided as a result of fraudulent activity.

(c) If a county or tribal governing body establishes a program under par. (b), the
county or tribal governing body shall pay to the department all of the following:
1. Fifty percent of all amounts recovered by the county or tribal governing body as a result of its program during the first month in which it recovers any amounts as a result of its program.

2. Sixty-six percent of all amounts recovered by the county or tribal governing body as a result of its program during the 2nd month in which it recovers any amounts as a result of its program.

3. One hundred percent of all amounts recovered by the county or tribal governing body as a result of its program after the 2nd month in which it recovers any amounts as a result of its program.

(d) The department shall credit all moneys received under this subsection to the appropriation account under s. 20.445 (3) (g). The department shall use moneys recovered as a result of fraud in the Wisconsin Works program, other than the child care subsidy program under s. 49.155, for the Wisconsin Works program other than the child care subsidy program and shall use moneys recovered as a result of fraud in the child care subsidy program under s. 49.155 for the child care subsidy program.

**SECTION 1465p.** 49.197 (2) (d) of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.197 (2) (d) The department shall credit all moneys received under this subsection to the appropriation account under s. 20.445 (3) 20.437 (2) (g). The department shall use moneys recovered as a result of fraud in the Wisconsin Works program, other than the child care subsidy program under s. 49.155, for the Wisconsin Works program other than the child care subsidy program and shall use moneys recovered as a result of fraud in the child care subsidy program under s. 49.155 for the child care subsidy program.

**SECTION 1466.** 49.197 (4) of the statutes is amended to read:
49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. If the department of health and family services contracts with the department under sub. (5), the department shall provide funds from the appropriation under s. 20.445 (3) kx to counties and governing bodies of federally recognized American Indian tribes administering Medical Assistance under subch. IV, the food stamp program under 7 USC 2011 to 2036, the supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775, and the Badger Care health care program under s. 49.665 to offset administrative costs of reducing payment errors in those programs.

SECTION 1467. 49.22 (2m) (a) of the statutes is amended to read:

49.22 (2m) (a) The department may request from any person in this state information it determines appropriate and necessary for the administration of this section, ss. 49.141 to 49.161, 49.19, 49.46, 49.468 and, 49.47, and 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029. Unless access to the information is prohibited or restricted by law, or unless the person has good cause, as determined by the department in accordance with federal law and regulations, for refusing to cooperate, the person shall make a good faith effort to provide this information within 7 days after receiving a request under this paragraph. Except as provided in subs. (2p) and (2r) and subject to sub. (12), the department or the county child support agency under s. 59.53 (5) may disclose information obtained under this paragraph only in the administration of this section, ss. 49.141 to 49.161, 49.19, 49.46 and, 49.47, and 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029. Employees of the department or a county child support agency under s. 59.53 (5) are subject to s. 49.83.

SECTION 1468. 49.22 (2m) (b) of the statutes is amended to read:
49.22 (2m) (b) The department or county child support agency under s. 59.53 (5) may issue a subpoena, in substantially the form authorized under s. 885.02, to compel the production of financial information and other documentary evidence in the administration of this section, ss. 49.145, 49.19, 49.46 and 49.47, and programs carrying out the purposes of 7 USC 2011 to 2029.

**SECTION 1469.** 49.22 (2m) (c) 3. of the statutes is amended to read:

49.22 (2m) (c) 3. Any other action taken in good faith to comply with this section or a subpoena described in par. (bc) or to comply with a request for information or access to records from the department or a county child support agency under s. 59.53 (5) in the administration of this section, ss. 49.145, 49.19, 49.46 and 49.47, and 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029.

**SECTION 1470.** 49.22 (6) of the statutes is amended to read:

49.22 (6) The department shall establish, pursuant to federal and state laws, rules and regulations, a uniform system of fees for services provided under this section to individuals not receiving aid under s. 46.261, 48.645, 49.19, or 49.47; benefits under s. 49.148, 49.155, or 49.79; foster care maintenance payments under 42 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long-term kinship care payments under s. 48.57 (3n). The system of fees may take into account an individual’s ability to pay. Any fee paid and collected under this subsection may be retained by the county providing the service except for the fee specified in 42 USC 653 (e) (2) for federal parent locator services.

**SECTION 1471.** 49.22 (6) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

49.22 (6) The department shall establish, pursuant to federal and state laws, rules and regulations, a uniform system of fees for services provided under this
section to individuals not receiving aid under s. 48.645, 49.19 or 49.47, or 49.471; benefits under s. 49.148, 49.155, or 49.79; foster care maintenance payments under 42 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long-term kinship care payments under s. 48.57 (3n). The system of fees may take into account an individual’s ability to pay. Any fee paid and collected under this subsection may be retained by the county providing the service except for the fee specified in 42 USC 653 (e) (2) for federal parent locator services.

SECTION 1472. 49.22 (7) of the statutes is amended to read:

49.22 (7) The department may represent the state in any action to establish paternity or to establish or enforce a support or maintenance obligation. The department may delegate its authority to represent the state in any action to establish paternity or to establish or enforce a support or maintenance obligation under this section to an attorney responsible for support enforcement under s. 59.53 (6) (a) pursuant to a contract entered into under s. 59.53 (5). The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.53 (5), the department may implement them and may contract with any appropriate person to obtain necessary services. The department shall establish a formula for disbursing funds appropriated under s. 20.445 (3) (b) (md) to carry out a contract under this subsection.

SECTION 1473. 49.24 (1) of the statutes is amended to read:

49.24 (1) From the appropriation under s. 20.445 (3) (k) (b), the department shall provide child support incentive payments to counties. Total payments in fiscal
year 2007−08, amounts allocated by the department under this subsection may not exceed $2,750,000, plus any amounts not obligated in the prior fiscal year. Beginning with fiscal year 2008−09, amounts allocated under this subsection may not exceed $5,690,000 per fiscal year, plus any amounts not obligated in the prior fiscal year.

SECTION 1474. 49.24 (1) of the statutes, as affected by 2007 Wisconsin Act ..., (this act), section 1473, is amended to read:

49.24 (1) From the appropriation under s. 20.445 (3) 20.437 (2) (b), the department shall provide child support incentive payments to counties. In fiscal year 2007−08, amounts allocated by the department under this subsection may not exceed $2,750,000, plus any amounts not obligated in the prior fiscal year. Beginning with fiscal year 2008−09, amounts allocated under this subsection may not exceed $5,500,000 per fiscal year, plus any amounts not obligated in the prior fiscal year.

SECTION 1474d. 49.24 (1) of the statutes, as affected by 2007 Wisconsin Act ..., (this act), section 1473, is amended to read:

49.24 (1) From the appropriation under s. 20.445 (3) (b) (k), the department shall provide child support incentive payments to counties. In fiscal year 2007−08, amounts allocated by the department under this subsection may not exceed $2,750,000, plus any amounts not obligated in the prior fiscal year. Beginning with fiscal year 2008−09, amounts allocated under this subsection may not exceed $5,500,000 per fiscal year, plus any amounts not obligated in the prior fiscal year.

SECTION 1475. 49.24 (2) (b) (intro.) of the statutes is amended to read:
49.24 (2) (b) (intro.) Subject to the incentive payments limit specified in par. (a), the department shall distribute to counties, in accordance with the formula established under par. (a), all of the following:

**SECTION 1475d.** 49.24 (2) (b) (intro.) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

49.24 (2) (b) (intro.) Subject to the incentive payments limit specified in par. (a), the department shall distribute to counties, in accordance with the formula established under par. (a), all of the following:

**SECTION 1476.** 49.24 (2) (d) of the statutes is repealed.

**SECTION 1476d.** 49.24 (2) (dm) of the statutes is created to read:

49.24 (2) (dm) If the amount of federal child support incentive payments awarded to the state for a federal fiscal year is less than $12,340,000, the total of payments distributed to counties under par. (b) and sub. (1) for that federal fiscal year may not exceed $12,340,000.

**SECTION 1476g.** 49.24 (4) of the statutes is created to read:

49.24 (4) If federal legislation reinstates the matching of federal funds for federal child support incentive payments, the department shall provide a notice in the Wisconsin Administrative Register that states the effective date of that federal legislation.

**SECTION 1477.** 49.26 (1) (d) of the statutes is amended to read:

49.26 (1) (d) A county department or Wisconsin works Works agency that provides services under this subsection directly shall develop a plan, in coordination with the school districts located in whole or in part in the county, describing the assistance that the county department or Wisconsin works Works agency and school districts will provide to individuals receiving services under this subsection, the
number of individuals that will be served and the estimated cost of the services. The county department or Wisconsin works Works agency shall submit the plan to the department of workforce development and the department of public instruction by January 15, annually.

Section 1478. 49.26 (1) (g) (intro.) of the statutes is amended to read:

49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin works Works group that includes a participant under s. 49.147 (3), (3m), (4), or (5) or who is a recipient of aid under s. 49.19 is subject to the school attendance requirement under par. (ge) if all of the following apply:

Section 1479. 49.26 (1) (h) 1s. b. of the statutes is amended to read:

49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin works Works group that includes a participant under s. 49.147 (3), (3m), (4), or (5) and who fails to meet the school attendance requirement under par. (ge) is subject to a monthly sanction.

Section 1480. 49.27 of the statutes is created to read:

49.27 Legal actions. The department may sue and be sued.

Section 1481. 49.273 of the statutes is created to read:

49.273 Research, investigations. The secretary shall plan for and establish within the department a program of research designed to determine the effectiveness of the treatment, curative, and rehabilitative programs of the various divisions of the department. The secretary may inquire into any matter affecting children and families, hold hearings, subpoena witnesses and make recommendations on those matters to the appropriate public or private agencies.

Section 1482. 49.275 of the statutes is amended to read:
49.275 Cooperation with federal government. The department may cooperate with the federal government in carrying out federal acts concerning public assistance under this subchapter and child welfare under ch. 48 and in other matters of mutual concern under this subchapter pertaining to public welfare and under ch. 48 pertaining to child welfare.

SECTION 1483. 49.32 (1) (a) of the statutes is amended to read:

49.32 (1) (a) The Except as provided in s. 49.345 (14) (b) and (c), the department shall establish a uniform system of fees for services provided or purchased under this subchapter and ch. 48 by the department, or a county department under s. 46.215, 46.22, or 46.23, except as provided in s. 49.22 (6) and except where when, as determined by the department, a fee is administratively unfeasible or would significantly prevent accomplishing the purpose of the service. A county department under s. 46.215, 46.22 or 46.23 shall apply the fees which that it collects under this program to cover the cost of such those services. The department shall report to the joint committee on finance no later than March 1 of each year on the number of children placed for adoption by the department during the previous year and the costs to the state for services relating to such adoptions.

SECTION 1484. 49.32 (1) (am) of the statutes is created to read:

49.32 (1) (am) Paragraph (a) does not prevent the department from charging and collecting the cost of adoptive placement investigations and child care as authorized under s. 48.837 (7).

SECTION 1485. 49.32 (1) (b) of the statutes is amended to read:

49.32 (1) (b) Any Except as provided in s. 49.345 (14) (b) and (c), any person receiving services provided or purchased under par. (a) or the spouse of the person and, in the case of a minor, the parents of the person, and, in the case of a foreign child
described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, shall be liable for the services in the amount of the fee established under par. (a).

**SECTION 1486.** 49.32 (1) (c) of the statutes is amended to read:

49.32 (1) (c) The department shall make collections from the person who in the opinion of the department is best able to pay, giving due regard to the present needs of the person or of his or her lawful dependents. The department may bring an action in the name of the department to enforce the liability established under par. (b). This paragraph does not apply to the recovery of fees for the care and services specified under s. 49.345.

**SECTION 1487.** 49.32 (2) (d) of the statutes is created to read:

49.32 (2) (d) The department shall disburse from state or federal funds or both the entire amount and charge the county for its share under s. 48.569.

**SECTION 1488.** 49.32 (9) (a) of the statutes is amended to read:

49.32 (9) (a) Each county department under s. 46.215, 46.22, or 46.23 administering aid to families with dependent children shall maintain a monthly report at its office showing the names of all persons receiving aid to families with dependent children together with the amount paid during the preceding month. Each Wisconsin works Works agency administering Wisconsin works Works under ss. 49.141 to 49.161 shall maintain a monthly report at its office showing the names of all persons receiving benefits under s. 49.148 together with the amount paid during the preceding month. Nothing in this paragraph shall be construed to authorize or require the disclosure in the report of any information (names, amounts
of aid or otherwise) pertaining to adoptions, or aid furnished for the care of children
in foster homes or treatment foster homes under s. 46.261 48.645 or 49.19 (10).

SECTION 1489. 49.32 (11) of the statutes is renumbered 103.005 (21) and
amended to read:

103.005 (21) COMMUNITY ACTION AGENCIES. The department shall distribute all
of the funds under s. 20.445 (3) (1) (cr) to community action agencies and
organizations, including any of the 11 federally recognized tribal governing bodies
in this state and limited-purpose agencies, in proportion to the share of funds
actually allocated to these entities under 42 USC 1315 and from other federal and
private foundation sources that provide funds for job creation and development for
individuals with low incomes.

SECTION 1490. 49.32 (11m) of the statutes is created to read:

49.32 (11m) CONSOLIDATION OF ALLOCATED TRIBAL FUNDS. The department may
consolidate funds appropriated under s. 20.437 that are authorized or required to be
allocated to federally recognized American Indian tribes or bands into a single
distribution for each tribe or band in each fiscal year.

SECTION 1491. 49.32 (12) of the statutes is amended to read:

49.32 (12) ADMINISTRATIVE HEARINGS AND APPEALS. Any hearing under s. 227.42
granted by the department under this subchapter or ch. 48 may be conducted before
the division of hearings and appeals in the department of administration.

SECTION 1492. 49.325 (1) (a) of the statutes is amended to read:

49.325 (1) (a) Each county department under s. 46.215, 46.22, or 46.23 shall
submit its final budget for services directly provided or purchased under this
subchapter or ch. 48 to the department by December 31 annually.

SECTION 1493. 49.325 (2) of the statutes is amended to read:
49.325 (2) ASSESSMENT OF NEEDS. Before developing and submitting a proposed budget for services directly provided or purchased under this subchapter or ch. 48 to the county executive or county administrator or the county board, the county departments listed in sub. (1) shall assess needs and inventory resources and services, using an open public participation process.

SECTION 1494. 49.325 (2g) (a) of the statutes is amended to read:

49.325 (2g) (a) The department shall annually submit to the county board of supervisors in a county with a single-county department or the county boards of supervisors in counties with a multicounty department a proposed written contract containing the allocation of funds for services directly provided or purchased under this subchapter or ch. 48 and such administrative requirements as necessary. The contract as approved may contain conditions of participation consistent with federal and state law. The contract may also include provisions necessary to ensure uniform cost accounting of services. Any changes to the proposed contract shall be mutually agreed upon. The county board of supervisors in a county with a single-county department or the county boards of supervisors in counties with a multicounty department shall approve the contract before January 1 of the year in which it takes effect unless the department grants an extension. The county board of supervisors in a county with a single-county department or the county boards of supervisors in counties with a multicounty department may designate an agent to approve addenda to any contract after the contract has been approved.

SECTION 1495. 49.325 (2g) (c) of the statutes is amended to read:

49.325 (2g) (c) The joint committee on finance may require the department to submit contracts between county departments under ss. 46.215, 46.22, and 46.23
section 1495

and providers of services under this subchapter or ch. 48 to the committee for review
and approval.

section 1496. 49.325 (2r) (a) 1. of the statutes is amended to read:

49.325 (2r) (a) 1. For services under this subchapter which or ch. 48 that
duplicate or are inconsistent with services being provided or purchased by the
department or other county departments receiving grants-in-aid or reimbursement
from the department.

section 1497. 49.325 (2r) (a) 2. of the statutes is amended to read:

49.325 (2r) (a) 2. Inconsistent with state or federal statutes, rules, or
regulations, in which case the department may also arrange for provision of services
under this subchapter or ch. 48 by an alternate agency. The department may not
arrange for provision of services by an alternate agency unless the joint committee
on finance or a review body designated by the committee reviews and approves the
department’s determination.

section 1498. 49.325 (3) (a) of the statutes is amended to read:

49.325 (3) (a) Citizen advisory committee. Except as provided in par. (b), the
county board of supervisors of each county or the county boards of supervisors of 2
or more counties jointly shall establish a citizen advisory committee to the county
departments under ss. 46.215, 46.22 and 46.23. The citizen advisory committee shall
advise in the formulation of the budget under sub. (1). Membership on the committee
shall be determined by the county board of supervisors in a county with a
single-county committee or by the county boards of supervisors in counties with a
multicounty committee and shall include representatives of those persons receiving
services, providers of services and citizens. A majority of the members of the
committee shall be citizens and consumers of services. At least one member of the
committee shall be chosen from the governing or administrative board of the community action agency serving the county or counties under s. 49.265, if any. The committee's membership may not consist of more than 25% county supervisors, nor of more than 20% services providers. The chairperson of the committee shall be appointed by the county board of supervisors establishing it. In the case of a multicounty committee, the chairperson shall be nominated by the committee and approved by the county boards of supervisors establishing it. The county board of supervisors in a county with a single-county committee or the county boards of supervisors in counties with a multicounty committee may designate an agent to determine the membership of the committee and to appoint the committee chairperson or approve the nominee.

**SECTION 1499.** 49.34 (1) of the statutes is amended to read:

49.34 (1) All services under this subchapter and ch. 48 purchased by the department or by a county department under s. 46.215, 46.22, or 46.23 shall be authorized and contracted for under the standards established under this section. The department may require the county departments to submit the contracts to the department for review and approval. For purchases of $10,000 or less the requirement for a written contract may be waived by the department. No contract is required for care provided by foster homes or treatment foster homes that are required to be licensed under s. 48.62. When the department directly contracts for services, it shall follow the procedures in this section in addition to meeting purchasing requirements established in s. 16.75.

**SECTION 1500.** 49.34 (2) of the statutes is amended to read:

49.34 (2) All services purchased under this subchapter and ch. 48 shall meet standards established by the department and other requirements specified by the
purchaser in the contract. Based on these standards the department shall establish standards for cost accounting and management information systems that shall monitor the utilization of the services, and document the specific services in meeting the service plan for the client and the objective of the service.

**SECTION 1501.** 49.34 (4) (a) of the statutes is amended to read:

49.34 (4) (a) Except as provided in this subsection, maintain a uniform double entry accounting system and a management information system which are compatible with cost accounting and control systems prescribed by the department. The department shall establish a simplified double-entry bookkeeping system for use by family-operated group homes. Each purchaser shall determine whether a family-operated group home from which it purchases services shall use the double-entry accounting system or the simplified system and shall include this determination in the purchase of service contract. In this paragraph, “family-operated group home” means a group home licensed under s. 48.66 (1) (a) for which the licensee is one or more individuals who operate not more than one group home.

**SECTION 1502.** 49.34 (4) (c) of the statutes is amended to read:

49.34 (4) (c) Unless waived by the department, biennially, or annually if required under federal law, provide the purchaser with a certified financial and compliance audit report if the care and services purchased exceed $25,000. The audit shall follow standards that the department prescribes. A purchaser may waive the requirements of this paragraph for any family-operated group home, as defined in par. (a), from which it purchases services.

**SECTION 1503.** 49.34 (5m) (a) 1. of the statutes is amended to read:
49.34 (5m) (a) 1. “Provider” means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17), and that contracts under this section to provide client services on the basis of a unit rate per client service or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 that contracts under this section to provide client services on the basis of a unit rate per client service.

SECTION 1504. 49.34 (5m) (b) 1. of the statutes is amended to read:

49.34 (5m) (b) 1. Subject to subds. 2. and 3. and par. (em), if revenue under a contract for the provision of a rate-based service exceeds allowable costs incurred in the contract period, the provider may retain from the surplus generated by that rate-based service up to 5% of the contract amount. A provider that retains a surplus under this subdivision shall use that retained surplus to cover a deficit between revenue and allowable costs incurred in any preceding or future contract period for the same rate-based service that generated the surplus or to address the programmatic needs of clients served by the same rate-based service that generated the surplus.

SECTION 1505. 49.34 (5m) (b) 2. of the statutes is amended to read:

49.34 (5m) (b) 2. Subject to subd. 3. and par. (em), a provider may accumulate funds from more than one contract period under this paragraph, except that, if at the end of a contract period the amount accumulated from all contract periods for a rate-based service exceeds 10% of the amount of all current contracts for that rate-based service, the provider shall, at the request of a purchaser, return to that purchaser the purchaser’s proportional share of that excess and use any of that excess that is not returned to a purchaser to reduce the provider’s unit rate per client for that rate-based service in the next contract period. If a provider has held for 4
consecutive contract periods an accumulated reserve for a rate-based service that is equal to or exceeds 10% of the amount of all current contracts for that rate-based service, the provider shall apply 50% of that accumulated amount to reducing its unit rate per client for that rate-based service in the next contract period.

**SECTION 1506.** 49.34 (5m) (em) of the statutes is created to read:

49.34 (5m) (em) Notwithstanding par. (b) 1. and 2., a county department under s. 46.215, 51.42, or 51.437 providing client services in a county having a population of 500,000 or more or a nonstock, nonprofit corporation providing client services in such a county may not retain a surplus under par. (b) 1. or accumulate funds under par. (b) 2. from revenues that are used to meet the maintenance-of-effort requirement under the federal temporary assistance for needy families program under 42 USC 601 to 619.

**SECTION 1507.** 49.345 of the statutes is created to read:

49.345 Cost of care and maintenance; liability; collection and deportation counsel; collections; court actions; recovery. (1) Liability and the collection and enforcement of such liability for the care, maintenance, services, and supplies specified in this section are governed exclusively by this section, except in cases of child support ordered by a court under s. 48.355 (2) (b) 4., 48.357 (5m) (a), or 48.363 (2) or ch. 767.

(2) Except as provided in sub. (14) (b) and (c), any person, including but not limited to a person placed under s. 48.345 (3) or 48.357 (1) or (2m), receiving care, maintenance, services, and supplies provided by any institution in this state, in which the state is chargeable with all or part of the person’s care, maintenance, services, and supplies, and the person’s property and estate, including the homestead, and the spouse of the person, and the spouse’s property and estate,
including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of the care, maintenance, services, and supplies in accordance with the fee schedule established by the department under s. 49.32 (1). If a spouse, widow, or minor, or an incapacitated person may be lawfully dependent upon the property for his or her support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for the person. The department shall make every reasonable effort to notify the liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt thereof is not a condition of liability.

(3) After investigation of the liable persons’ ability to pay, the department shall make collection from the person who in the opinion of the department under all of the circumstances is best able to pay, giving due regard to relationship and the present needs of the person or of the lawful dependents. However, the liability of relatives for maintenance shall be in the following order: first, the spouse of the person; then, in the case of a minor, the parent or parents.

(4) (a) If a person liable under sub. (2) fails to make payment or enter into or comply with an agreement for payment, the department may bring an action to enforce the liability or may issue an order to compel payment of the liability. Any person aggrieved by an order issued by the department under this paragraph may
appeal the order as a contested case under ch. 227 by filing with the department a request for a hearing within 30 days after the date of the order.

(b) If judgment is rendered in an action brought under par. (a) for any balance that is 90 or more days past due, interest at the rate of 12 percent per year shall be computed by the clerk and added to the liable person's costs. That interest shall begin on the date on which payment was due and shall end on the day before the date of any interest that is computed under s. 814.04 (4).

(c) If the department issues an order to compel payment under par. (a), interest at the rate of 12 percent per year shall be computed by the department and added at the time of payment to the person's liability. That interest shall begin on the date on which payment was due and shall end on the day before the date of final payment.

(5) If any person named in an order to compel payment issued under sub. (4) (a) fails to pay the department any amount due under the terms of the order, and no contested case to review the order is pending, and the time for filing for a contested case review has expired, the department may present a certified copy of the order to the circuit court for any county. The circuit court shall, without notice, render judgment in accordance with the order. A judgment rendered under this subsection shall have the same effect and shall be entered in the judgment and lien docket and may be enforced in the same manner as if the judgment had been rendered in an action tried and determined by the circuit court.

(6) The sworn statement of the collection and deportation counsel, or of the secretary, shall be evidence of the fee and of the care and services received by the person.

(7) The department shall administer and enforce this section. It shall appoint an attorney to be designated “collection and deportation counsel” and other
necessary assistants. The department may delegate to the collection and
deposition counsel such other powers and duties as it considers advisable. The
collection and deportation counsel or any of the assistants may administer oaths,
take affidavits and testimony, examine public records, and subpoena witnesses and
the production of books, papers, records, and documents material to any matter of
proceeding relating to payments for the cost of maintenance. The department shall
encourage agreements or settlements with the liable person, having due regard to
ability to pay and the present needs of lawful dependents.

(8) The department may do any of the following:

(a) Appear for the state in any and all collection and deportation matters
arising in the several courts, and may commence suit in the name of the department
to recover the cost of maintenance against the person liable therefor.

(b) Determine whether any person is subject to deportation, and on behalf of
this state enter into reciprocal agreements with other states for deportation and
importation of persons who are public charges, upon such terms as will protect the
state's interests and promote mutual amicable relations with other states.

(c) From time to time investigate the financial condition and needs of persons
liable under sub. (2), their present ability to maintain themselves, the persons legally
dependent upon them for support, the protection of the property and investments
from which they derive their living and their care and protection, for the purpose of
ascertaining the person's ability to make payment in whole or in part.

(d) After due regard to the case and to a spouse and minor children who are
lawfully dependent on the property for support, compromise or waive any portion of
any claim of the state or county for which a person specified under sub. (2) is liable,
but not any claim payable by an insurer under s. 632.89 (2) or (2m) or by any other
3rd party.

(e) Make an agreement with a person who is liable under sub. (2), or who may
be willing to assume the cost of maintenance of any person, providing for the
payment of such costs at a specified rate or amount.

(f) Make adjustment and settlement with the several counties for their proper
share of all moneys collected.

(g) Pay quarterly from the appropriation under s. 20.437 (1) (gg) the collection
moneys due county departments under ss. 46.22 and 46.23. Payments shall be made
as soon after the close of each quarter as is practicable.

(9) Any person who willfully testifies falsely as to any material matter in an
investigation or proceeding under this section shall be guilty of perjury. Banks,
employers, insurers, savings banks, savings and loan associations, brokers, and
fiduciaries, upon request of the department, shall furnish in writing and duly
certified, full information regarding the property, earnings, or income or any funds
deposited to the credit of or owing to any person liable under sub. (2). That certified
statement shall be admissible in evidence in any action or proceeding to compel
payment under this section, and shall be evidence of the facts stated in the certified
statement, if a copy of the statement is served upon the party sought to be charged
not less than 3 days before the hearing.

(10) The department shall make all reasonable and proper efforts to collect all
claims for maintenance, to keep payments current, and periodically to review all
unpaid claims.

(11) (a) Except as provided in par. (b), in any action to recover from a person
liable under this section, the statute of limitations may be pleaded in defense.
(b) If a person who is liable under this section is deceased, a claim may be filed against the decedent’s estate and the statute of limitations specified in s. 859.02 shall be exclusively applicable. This paragraph applies to liability incurred on or after July 20, 1985.

(14) (a) Except as provided in pars. (b) and (c), liability of a person specified in sub. (2) or s. 49.32 (1) for care and maintenance of persons under 18 years of age in residential, nonmedical facilities such as group homes, foster homes, treatment foster homes, subsidized guardianship homes, and residential care centers for children and youth is determined in accordance with the cost-based fee established under s. 49.32 (1). The department shall bill the liable person up to any amount of liability not paid by an insurer under s. 632.89 (2) or (2m) or by other 3rd-party benefits, subject to rules that include formulas governing ability to pay established by the department under s. 49.32 (1). Any liability of the person not payable by any other person terminates when the person reaches age 18, unless the liable person has prevented payment by any act or omission.

(b) Except as provided in par. (c), and subject to par. (cm), liability of a parent specified in sub. (2) or s. 49.32 (1) for the care and maintenance of the parent’s minor child who has been placed by a court order under s. 48.355 or 48.357 in a residential, nonmedical facility such as a group home, foster home, treatment foster home, subsidized guardianship home, or residential care center for children and youth shall be determined by the court by using the percentage standard established by the department under s. 49.22 (9) and by applying the percentage standard in the manner established by the department under par. (g).

(c) Upon request by a parent, the court may modify the amount of child support payments determined under par. (b), subject to par. (cm), if, after considering the
following factors, the court finds by the greater weight of the credible evidence that
the use of the percentage standard is unfair to the child or to either of the parents:

1. The needs of the child.

2. The physical, mental, and emotional health needs of the child, including any
costs for the child's health insurance provided by a parent.

3. The standard of living and circumstances of the parents, including the needs
of each parent to support himself or herself at a level equal to or greater than that
established under 42 USC 9902 (2).

4. The financial resources of the parents.

5. The earning capacity of each parent, based on each parent's education,
training, and work experience and based on the availability of work in or near the
parent's community.

6. The need and capacity of the child for education, including higher education.

7. The age of the child.

8. The financial resources and the earning ability of the child.

9. The needs of any person, including dependent children other than the child,
whom either parent is legally obligated to support.

10. The best interests of the child, including, but not limited to, the impact on
the child of expenditures by the family for improvement of any conditions in the home
that would facilitate the reunification of the child with the child's family, if
appropriate, and the importance of a placement that is the least restrictive of the
rights of the child and the parents and the most appropriate for meeting the needs
of the child and the family.

11. Any other factors that the court in each case determines are relevant.
(cm) 1. Except as provided in subd. 2., if a parent who is required to pay child
support under par. (b) or (c) is receiving adoption assistance under s. 48.975 for the
child for whom support is ordered, the amount of the child support payments
determined under par. (b) or (c) may not exceed the amount of the adoption assistance
maintenance payments under s. 48.975 (3) (a). If an agreement under s. 48.975 (4)
is in effect that provides for a payment of $0 under s. 48.975 (3) (a), the payment of
$0 shall be considered to be an adoption assistance maintenance payment for
purposes of this subdivision.

2. Subdivision 1. does not apply if, after considering the factors under par. (c)
1. to 11., the court finds by the greater weight of the credible evidence that limiting
the amount of the child support payments to the amount of the adoption assistance
maintenance payments under s. 48.975 (3) (a) is unfair to the child or to either of the
parents.

(d) If the court finds under par. (c) that use of the percentage standard is unfair
to the minor child or either of the parents, the court shall state in writing or on the
record the amount of support that would be required by using the percentage
standard, the amount by which the court’s order deviates from that amount, its
reasons for finding that use of the percentage standard is unfair to the child or the
parent, its reasons for the amount of the modification, and the basis for the
modification.

(e) 1. An order issued under s. 48.355 (2) (b) 4., 48.357 (5m) (a), or 48.363 (2)
for support determined under this subsection constitutes an assignment of all
commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or
108, and other money due or to be due in the future to the county department under
s. 46.22 or 46.23 in the county where the order was entered or to the department,
depending upon the placement of the child as specified by rules promulgated under subd. 5. The assignment shall be for an amount sufficient to ensure payment under the order.

2. Except as provided in subd. 3., for each payment made under the assignment, the person from whom the payer under the order receives money shall receive an amount equal to the person’s necessary disbursements, not to exceed $3, which shall be deducted from the money to be paid to the payer.

3. Benefits under ch. 108 may be assigned and withheld only in the manner provided in s. 108.13 (4). Any order to withhold benefits under ch. 108 shall be for an amount certain. When money is to be withheld from these benefits, no fee may be deducted from the amount withheld and no fine may be levied for failure to withhold the money.

4. No employer may use an assignment under this paragraph as a basis for the denial of employment to a person, the discharge of an employee, or any disciplinary action against an employee. An employer who denies employment or discharges or disciplines an employee in violation of this subdivision may be fined not more than $500 and may be required to make full restitution to the aggrieved person, including reinstatement and back pay. Except as provided in this subdivision, restitution shall be in accordance with s. 973.20. An aggrieved person may apply to the district attorney or to the department of workforce development for enforcement of this subdivision.

5. The department shall promulgate rules for the operation and implementation of assignments under this paragraph.

(f) If the amount of the child support determined under this subsection is greater than the cost for the care and maintenance of the minor child in the
residential, nonmedical facility, the assignee under par. (e) 1. shall expend or
otherwise dispose of any funds that are collected in excess of the cost of such care and
maintenance in a manner that the assignee determines will serve the best interests
of the minor child.

(16) The department shall delegate to county departments under ss. 46.22 and
46.23 or the local providers of care and services meeting the standards established
by the department under s. 49.34 the responsibilities vested in the department under
this section for collection of fees for services other than those provided at state
facilities, if the county departments or providers meet the conditions that the
department determines are appropriate. The department may delegate to county
departments under ss. 46.22 and 46.23 the responsibilities vested in the department
under this section for collection of fees for services provided at the state facilities if
the necessary conditions are met.

SECTION 1508. 49.35 (1) (a) of the statutes is amended to read:

49.35 (1) (a) The department shall supervise the administration of programs
under this subchapter and ch. 48. The department shall submit to the federal
authorities state plans for the administration of programs under this subchapter and
ch. 48 in such form and containing such information as the federal authorities
require, and shall comply with all requirements prescribed to ensure their
correctness.

SECTION 1509. 49.35 (1) (b) of the statutes is amended to read:

49.35 (1) (b) All records of the department and all county records relating to
programs under this subchapter and ch. 48 and aid under s. 49.18, 1971 stats., s.
49.20, 1971 stats., and s. 49.61, 1971 stats., as affected by chapter 90, laws of 1973,
shall be open to inspection at all reasonable hours by authorized representatives of
the federal government. Notwithstanding ss. 48.396 (2) and 938.396 (2), all county
records relating to the administration of the services and public assistance specified
in this paragraph shall be open to inspection at all reasonable hours by authorized
representatives of the department.

**SECTION 1510.** 49.35 (2) of the statutes is amended to read:

49.35 (2) The county administration of all laws relating to programs under this
subchapter and ch. 48 shall be vested in the officers and agencies designated in the
statutes.

**SECTION 1511.** 49.36 (2) of the statutes is amended to read:

49.36 (2) The department may contract with any county, tribal governing body,
or Wisconsin Works agency to administer a work experience and job training
program for parents who are not custodial parents and who fail to pay child support
or to meet their children’s needs for support as a result of unemployment or
underemployment. The program may provide the kinds of work experience and job
training services available from the program under s. 49.193, 1997 stats., or s. 49.147
(3), (3m), or (4). The program may also include job search and job orientation
activities. The department shall fund the program from the appropriations under
s. 20.445 (3) (dz) and (k).

**SECTION 1512.** 49.36 (2) of the statutes, as affected by 2007 Wisconsin Act ....
(this act), is amended to read:

49.36 (2) The department may contract with any county, tribal governing body,
or Wisconsin Works agency to administer a work experience and job training
program for parents who are not custodial parents and who fail to pay child support
or to meet their children’s needs for support as a result of unemployment or
underemployment. The program may provide the kinds of work experience and job
training services available from the program under s. 49.193, 1997 stats., or s. 49.147 (3), (3m), or (4). The program may also include job search and job orientation activities. The department shall fund the program from the appropriations under s. 20.445 (3) 20.437 (2) (dz) and (k).

**SECTION 1513.** 49.45 (2) (a) 1. of the statutes is amended to read:

49.45 (2) (a) 1. Exercise responsibility relating to fiscal matters, the eligibility for benefits under standards set forth in ss. 49.46 to 49.47, and general supervision of the medical assistance program.

**SECTION 1514.** 49.45 (2) (a) 3. of the statutes is amended to read:

49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance, rehabilitative, and social services under ss. 49.46, 49.468, and 49.47, and rules and policies adopted by the department and may, under a contract under s. 49.78 (2), delegate all, or any portion, of this function to the county department under s. 46.215, 46.22, or 46.23 or a tribal governing body.

**SECTION 1515.** 49.45 (2) (a) 17. of the statutes is amended to read:

49.45 (2) (a) 17. Notify the governor, the joint committee on legislative organization, the joint committee on finance and appropriate standing committees, as determined by the presiding officer of each house, if the appropriation accounts under s. 20.435 (4) (b) and (gp) (xd) are insufficient to provide the state share of medical assistance.

**SECTION 1516.** 49.45 (2) (b) 3. of the statutes is amended to read:

49.45 (2) (b) 3. Audit all claims filed by any contractor making the payment of benefits paid under ss. 49.46 to 49.47 and make proper fiscal adjustments.

**SECTION 1517.** 49.45 (2) (b) 7. (intro.) of the statutes is amended to read:
49.45 (2) (b) 7. (intro.) Require, as a condition of certification under par. (a) 11., all providers of a specific service that is among those enumerated under s. 49.46 (2) or 49.47 (6) (a), or 49.471 (11), as specified in this subdivision, to file with the department a surety bond issued by a surety company licensed to do business in this state. Providers subject to this subdivision provide those services specified under s. 49.46 (2) or 49.47 (6) (a), or 49.471 (11) for which providers have demonstrated significant potential to violate s. 49.49 (1) (a), (2) (a) or (b), (3), (3m) (a), (3p), (4) (a), or (4m) (a), to require recovery under par. (a) 10., or to need additional sanctions under par. (a) 13. The surety bond shall be payable to the department in an amount that the department determines is reasonable in view of amounts of former recoveries against providers of the specific service and the department’s costs to pursue those recoveries. The department shall promulgate rules to implement this subdivision that specify all of the following:

Section 1518. 49.45 (3) (ag) of the statutes is amended to read:

49.45 (3) (ag) Reimbursement shall be made to each entity contracted with under s. 46.281 (1) (e) or 46.283 (2) for functional screens screenings performed by the entity.

Section 1519. 49.45 (3) (b) 1. of the statutes is amended to read:

49.45 (3) (b) 1. The contractor, if any, administering benefits or providing prepaid health care under s. 49.46, 49.465, 49.468 or 49.47, or 49.471 shall be entitled to payment from the department for benefits so paid or prepaid health care so provided or made available when a certification of eligibility is properly on file with the contractor in addition to the payment of administrative expense incurred pursuant to the contract and as provided in sub. (2) (a) 4., but the contractor shall not be reimbursed for benefits erroneously paid where no certification is on file.
SECTION 1520. 49.45 (3) (b) 2. of the statutes is amended to read:

49.45 (3) (b) 2. The contractor, if any, insuring benefits under s. 49.46, 49.465, 49.468 or 49.471 shall be entitled to receive a premium, in an amount and on terms agreed, for such benefits for the persons eligible to receive them and for its services as insurer.

SECTION 1521. 49.45 (3) (dm) of the statutes is amended to read:

49.45 (3) (dm) After distribution of computer software has been made under 1993 Wisconsin Act 16, section 9126 (13h), no payment may be made for home health care services provided to persons who are enrolled in the federal medicare program and are recipients of medical assistance under s. 49.46 or 49.47, or 49.471 unless the provider of the services has in use the computer software to maximize payments under the federal medicare program under 42 USC 1395.

SECTION 1522. 49.45 (3) (f) 2. of the statutes is amended to read:

49.45 (3) (f) 2. The department may deny any provider claim for reimbursement which cannot be verified under subd. 1. or may recover the value of any payment made to a provider which cannot be so verified. The measure of recovery will be the full value of any claim if it is determined upon audit that actual provision of the service cannot be verified from the provider’s records or that the service provided was not included in s. 49.46 (2) or 49.471 (11). In cases of mathematical inaccuracies in computations or statements of claims, the measure of recovery will be limited to the amount of the error.

SECTION 1523. 49.45 (3) (L) 2. of the statutes is amended to read:

49.45 (3) (L) 2. The department may not pay a provider for a designated health service that is authorized under this section or s. 49.46 or 49.47, or 49.471, that is provided as the result of a referral made to the provider by a physician and that,
SECTION 1523. under 42 USC 1396b (s), if made on behalf of a beneficiary of medicare under the
requirements of 42 USC 1395nn, as amended to August 10, 1993, would result in the
denial of payment for the service under 42 USC 1395nn.

SECTION 1524. 49.45 (3) (m) of the statutes is amended to read:

49.45 (3) (m) To be certified under sub. (2) (a) 11. to provide transportation by
specialized medical vehicle, a person must have at least one human service vehicle,
as defined in s. 340.01 (23g), that satisfies the requirements imposed under s. 110.05
for a vehicle that is used to transport a person in a wheelchair. If a certified provider
uses 2 or more vehicles to provide transportation by specialized medical vehicle, at
least 2 of the vehicles must be human service vehicles that satisfy the requirements
imposed under s. 110.05 for a vehicle that is used to transport a person in a
wheelchair, and any 3rd or additional vehicle must be a human service vehicle to
which the equipment required under s. 110.05 for transporting a person in a
wheelchair may be added. The department shall pay for transportation by
specialized medical vehicle under s. 49.46 (2) (b) 3. or 49.471 (11) (m) that is provided
in a human service vehicle that is not equipped to transport a person in a wheelchair
if the person being transported does not use a wheelchair. The reimbursement rate
for transportation by specialized medical vehicle provided in a vehicle that is not
equipped to accommodate a wheelchair shall be the same as for transportation by
specialized medical vehicle provided in a vehicle that is equipped to accommodate a
wheelchair.

SECTION 1524y. 49.45 (5m) (title) of the statutes is amended to read:

49.45 (5m) (title) SUPPLEMENTAL FUNDING FOR RURAL AND CRITICAL ACCESS
HOSPITALS.

SECTION 1525. 49.45 (5m) (am) of the statutes is amended to read:
49.45 (5m) (am) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (w), and (xd), the department shall distribute not more than $2,256,000 in each fiscal year 2007−08 and not more than $5,256,000 in fiscal year 2008−09 and each fiscal year thereafter, to provide supplemental funds to rural hospitals that, as determined by the department, have high utilization of inpatient services by patients whose care is provided from governmental sources, and to provide supplemental funds to critical access hospitals, except that the department may not distribute funds to a rural hospital or to a critical access hospital to the extent that the distribution would exceed any limitation under 42 USC 1396b (i) (3).

**SECTION 1526.** 49.45 (6c) (d) 1. of the statutes is amended to read:

49.45 (6c) (d) 1. No payment may be made under sub. (6m) to a facility or to an institution for mental diseases for the care of an individual who is otherwise eligible for medical assistance under s. 49.46 or, 49.47, or 49.471, who has developmental disability or mental illness and for whom under par. (b) or (c) it is determined that he or she does not need facility care, unless it is determined that the individual requires active treatment for developmental disability or active treatment for mental illness and has continuously resided in a facility or institution for mental diseases for at least 30 months prior to the date of the determination. If that individual requires active treatment and has so continuously resided, he or she shall be offered the choice of receiving active treatment for developmental disability or active treatment for mental illness in the facility or institution for mental diseases or in an alternative setting. A facility resident who has developmental disability or mental illness, for whom under par. (c) it is determined that he or she does not need facility care and who has not continuously resided in a facility for at least 30 months
prior to the date of the determination, may not continue to reside in the facility after
December 31, 1993, and shall, if the department so determines, be relocated from the
facility after March 31, 1990, and before December 31, 1993. The county department
shall be responsible for securing alternative residence on behalf of an individual who
is required to be relocated from a facility under this subdivision, and the facility shall
cooperate with the county department in the relocation.

SECTION 1527. 49.45 (6c) (d) 2. of the statutes is amended to read:

49.45 (6c) (d) 2. Payment may be made under sub. (6m) to a facility or
institution for mental diseases for the care of an individual who is otherwise eligible
for medical assistance under s. 49.46 or, 49.47, or 49.471 and who has developmental
disability or mental illness and is determined under par. (b) or (c) to need facility care,
regardless of whether it is determined under par. (b) or (c) that the individual does
or does not require active treatment for developmental disability or active treatment
for mental illness.

SECTION 1528. 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this
subsection made under s. 20.435 (4) (b), (gp), (o), (pa), or (w), or (xd) shall, except as
provided in pars. (bg), (bm), and (br), be determined according to a prospective
payment system updated annually by the department. The payment system shall
implement standards that are necessary and proper for providing patient care and
that meet quality and safety standards established under subch. II of ch. 50 and ch.
150. The payment system shall reflect all of the following:

SECTION 1530h. 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

49.45 (6m) (ar) 1. a. The department shall establish standards for payment of
allowable direct care costs under par. (am) 1. bm., for facilities that do not primarily
serve the developmentally disabled, that take into account direct care costs for a
sample of all of those facilities in this state and separate standards for payment of
allowable direct care costs, for facilities that primarily serve the developmentally
disabled, that take into account direct care costs for a sample of all of those facilities
in this state. The standards shall be adjusted by the department for regional labor
cost variations. The department shall treat as a single labor region the counties of
Dane, Iowa, Columbia, and Sauk, and Rock and shall adjust payment so that the
direct care cost targets of facilities in Dane, Iowa, Columbia, and Sauk counties are
not reduced as a result of including facilities in Rock County in this labor region. For
facilities in Douglas, Pierce, and St. Croix counties, the department shall perform the
adjustment by use of the wage index that is used by the federal department of health
and human services for hospital reimbursement under 42 USC 1395 to 1395ggg.

**SECTION 1532.** 49.45 (6m) (br) 1. of the statutes is amended to read:

49.45 (6m) (br) 1. Notwithstanding s. 20.410 (3) (cd), 20.435 (4) (bt) or (7) (b)
or 20.445 (3) 20.437 (2) (dz), the department shall reduce allocations of funds to
counties in the amount of the disallowance from the appropriation account under s.
20.435 (4) (bt) or (7) (b), or the department shall direct the department of workforce
development children and families to reduce allocations of funds to counties or
Wisconsin works Works agencies in the amount of the disallowance from the
appropriation account under s. 20.445 (3) 20.437 (2) (dz) or direct the department of
corrections to reduce allocations of funds to counties in the amount of the
disallowance from the appropriation account under s. 20.410 (3) (cd), in accordance
with s. 16.544 to the extent applicable.

**SECTION 1533.** 49.45 (6m) (m) of the statutes is created to read:
49.45 (6m) (m) To hold a bed in a facility, the department may pay the full payment rate under this subsection for up to 30 days for services provided to a person during the pendency of an undue hardship determination, as provided in s. 49.453 (8) (b) 3.

SECTION 1534. 49.45 (6v) (b) of the statutes is amended to read:

49.45 (6v) (b) The department shall, each year, submit to the joint committee on finance a report for the previous fiscal year, except for the 1997–98 fiscal year, that provides information on the utilization of beds by recipients of medical assistance in facilities and a discussion and detailed projection of the likely balances, expenditures, encumbrances and carry over of currently appropriated amounts in the appropriation accounts under s. 20.435 (4) (b), (gp), and (o), and (xd).

SECTION 1535. 49.45 (6x) (a) of the statutes is amended to read:

49.45 (6x) (a) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (w), and (xd), the department shall distribute not more than $4,748,000 in each fiscal year, to provide funds to an essential access city hospital, except that the department may not allocate funds to an essential access city hospital to the extent that the allocation would exceed any limitation under 42 USC 1396b (i) (3).

SECTION 1536. 49.45 (6y) (a) of the statutes is amended to read:

49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (w), and (xd), the department may distribute funding in each fiscal year to provide supplemental payment to hospitals that enter into a contract under s. 49.02 (2) to provide health care services funded by a relief block grant, as determined by the department, for hospital services that are not in excess of the hospitals’ customary charges for the services, as limited under
42 USC 1396b (i) (3). If no relief block grant is awarded under this chapter or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department may distribute funds to hospitals that have not entered into a contract under s. 49.02 (2).

SECTION 1537. 49.45 (6y) (am) of the statutes is amended to read:

49.45 (6y) (am) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (h), (gp), (o), and (w), and (xd), the department shall distribute funding in each fiscal year to provide supplemental payments to hospitals that enter into contracts under s. 49.02 (2) with a county having a population of 500,000 or more to provide health care services funded by a relief block grant, as determined by the department, for hospital services that are not in excess of the hospitals’ customary charges for the services, as limited under 42 USC 1396b (i) (3).

SECTION 1538. 49.45 (6z) (a) (intro.) of the statutes is amended to read:

49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (w), and (xd), the department may distribute funding in each fiscal year to supplement payment for services to hospitals that enter into a contract under s. 49.02 (2) to provide health care services funded by a relief block grant under this chapter indigent care agreements, in accordance with the approved state plan for services under 42 USC 1396a, with relief agencies that administer the medical relief block grant under this chapter, if the department determines that the hospitals serve a disproportionate number of low-income patients with special needs. If no medical relief block grant under this chapter is awarded or if the allocation of funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department may distribute funds to hospitals that have not entered into a contract under s. 49.02 (2) indigent care agreements. The
department may not distribute funds under this subsection to the extent that the
distribution would do any of the following:

**SECTION 1539.** 49.45 (8) (a) 4. of the statutes is amended to read:

49.45 (8) (a) 4. “Patient care visit” means a personal contact with a patient in
a patient's home that is made by a registered nurse, licensed practical nurse, home
health aide, physical therapist, occupational therapist, or speech–language
pathologist who is on the staff of or under contract or arrangement with a home
health agency, or by a registered nurse or licensed practical nurse practicing
independently, to provide a service that is covered under s. 49.46 or 49.47, or 49.471.
“Patient care visit” does not include time spent by a nurse, therapist, or home health
aide on case management, care coordination, travel, record keeping, or supervision
that is related to the patient care visit.

**SECTION 1540.** 49.45 (8) (b) of the statutes is amended to read:

49.45 (8) (b) Reimbursement under s. 20.435 (4) (b), (gp), (o), and (w), and (xd)
for home health services provided by a certified home health agency or independent
nurse shall be made at the home health agency's or nurse's usual and customary fee
per patient care visit, subject to a maximum allowable fee per patient care visit that
is established under par. (c).

**SECTION 1541.** 49.45 (9) of the statutes is amended to read:

49.45 (9) Free choice. Any person eligible for medical assistance under ss. 49.46, 49.468 and, 49.47, or 49.471 may use the physician, chiropractor, dentist,
pharmacist, hospital, skilled nursing home, health maintenance organization,
limited service health organization, preferred provider plan or other licensed,
registered or certified provider of health care of his or her choice, except that free
choice of a provider may be limited by the department if the department's alternate
arrangements are economical and the recipient has reasonable access to health care
of adequate quality. The department may also require a recipient to designate, in any
or all categories of health care providers, a primary health care provider of his or her
choice. After such a designation is made, the recipient may not receive services from
other health care providers in the same category as the primary health care provider
unless such service is rendered in an emergency or through written referral by the
primary health care provider. Alternate designations by the recipient may be made
in accordance with guidelines established by the department. Nothing in this
subsection shall vitiate the legal responsibility of the physician, chiropractor,
dentist, pharmacist, skilled nursing home, hospital, health maintenance
organization, limited service health organization, preferred provider plan or other
licensed, registered or certified provider of health care to patients. All contract and
tort relationships with patients shall remain, notwithstanding a written referral
under this section, as though dealings are direct between the physician, chiropractor,
dentist, pharmacist, skilled nursing home, hospital, health maintenance
organization, limited service health organization, preferred provider plan or other
licensed, registered or certified provider of health care and the patient. No physician,
chiropractor, pharmacist or dentist may be required to practice exclusively in the
medical assistance program.

SECTION 1542. 49.45 (18) (ac) of the statutes is amended to read:

49.45 (18) (ac) Except as provided in pars. (am) to (d), and subject to par. (ag),
any person eligible for medical assistance under s. 49.46, 49.468, or 49.47, or for the
benefits under s. 49.46 (2) (a) and (b) under s. 49.471 shall pay up to the maximum
amounts allowable under 42 CFR 447.53 to 447.58 for purchases of services provided
under s. 49.46 (2). The service provider shall collect the specified or allowable
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Copayment, coinsurance, or deductible, unless the service provider determines that
the cost of collecting the copayment, coinsurance, or deductible exceeds the amount
to be collected. The department shall reduce payments to each provider by the
amount of the specified or allowable copayment, coinsurance, or deductible. No
provider may deny care or services because the recipient is unable to share costs, but
an inability to share costs specified in this subsection does not relieve the recipient
of liability for these costs.

SECTION 1543. 49.45 (18) (am) of the statutes is amended to read:

49.45 (18) (am) No person is liable under this subsection for services provided
through prepayment contracts. This paragraph does not apply to a person who is
eligible for the benefits under s. 49.46 (2) (a) and (b) under s. 49.471.

SECTION 1546. 49.45 (23) of the statutes is created to read:

49.45 (23) Assistance for Childless Adults Demonstration Project. (a) The
department shall request a waiver from the secretary of the federal department of
health and human services to permit the department to conduct a demonstration
project to provide health care coverage for basic primary and preventive care to
adults who are under the age of 65, who have family incomes not to exceed 200
percent of the poverty line, and who are not otherwise eligible for medical assistance
under this subchapter, the Badger Care health care program under s. 49.665, or
Medicare under 42 USC 1395 et seq. Any individual who had coverage under the
Health Insurance Risk-Sharing Plan under subch. II of ch. 149 within 6 months
before applying for the project under this subsection is not eligible to participate in
the project under this subsection.

(b) If the waiver is granted and in effect, the department may promulgate rules
defining the health care benefit plan, including more specific eligibility
requirements and cost-sharing requirements. Notwithstanding s. 227.24 (3), the plan details under this subsection may be promulgated as an emergency rule under s. 227.24 without a finding of emergency. If the waiver is granted and in effect, the demonstration project under this subsection shall begin on January 1, 2009, or on the effective date of the waiver, whichever is later.

SECTION 1547. 49.45 (24g) of the statutes is repealed.

SECTION 1548. 49.45 (24m) (intro.) of the statutes is amended to read:

49.45 (24m) (intro.) From the appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (w), and (xd), in order to test the feasibility of instituting a system of reimbursement for providers of home health care and personal care services for medical assistance recipients that is based on competitive bidding, the department shall:

SECTION 1549. 49.45 (24r) of the statutes is amended to read:

49.45 (24r) FAMILY PLANNING DEMONSTRATION PROJECT. The department shall request an amended waiver from the secretary of the federal department of health and human services to permit the department to conduct a demonstration project to provide family planning services, as defined in s. 253.07 (1) (b) (a), under medical assistance to any woman or man between the ages of 15 and 44 whose family income does not exceed 185% 200 percent of the poverty line for a family the size of the woman's or man's family. If The department shall implement any waiver granted and, if the amendment to the waiver is granted and in effect, the department shall implement the amended waiver no later than July 1, 1998 January 1, 2008, or on the federally approved effective date of the amended waiver, whichever is later.

SECTION 1550. 49.45 (29) of the statutes is amended to read:
49.45 (29) HOSPICE REIMBURSEMENT. The department shall promulgate rules limiting aggregate payments made to a hospice under ss. 49.46 and, 49.47, and 49.471.

SECTION 1551c. 49.45 (31) of the statutes is repealed and recreated to read:

49.45 (31) LONG-TERM CARE PARTNERSHIP PROGRAM. (a) The department shall submit to the federal department of health and human services, not later than 3 months after the effective date of this paragraph ..., [revisor inserts date], an amendment to the state medical assistance plan that establishes in this state a Long-Term Care Partnership Program, as described in this subsection, and shall implement the program if the amendment to the state plan is approved. Under the program, the department shall exclude an amount equal to the amount of benefits that an individual receives under a qualifying long-term care insurance policy, as described in par. (b), when determining any of the following:

1. The individual's resources for purposes of determining the individual's eligibility for medical assistance.
2. The amount to be recovered from the individual's estate if the individual receives medical assistance.

(b) To be eligible for the program, an individual must have been a resident of this state when the long-term care insurance policy was issued, and the policy must satisfy all of the following criteria:

1. The policy was not issued before the date specified in the amendment to the state plan, which may not be before the first day of the calendar quarter in which the amendment is submitted to the federal department of health and human services.
2. The policy meets the definition of a qualified long-term care insurance policy under 26 USC 7702B (b).
3. The policy meets the long-term care insurance model regulations and the requirements of the long-term care insurance model act promulgated by the National Association of Insurance Commissioners that are specified in 42 USC 1396p (b) (5).

4. The policy includes the applicable inflation protection specified in 42 USC 1396p (b) (1) (C) (iii) (IV).

5. The commissioner of insurance certifies to the department that the policy meets the criteria under subds. 2. to 4.

(c) 1. The department and the office of the commissioner of insurance shall approve a training program for individuals who sell long-term care insurance policies in the state to ensure that those individuals understand the relation of long-term care insurance to the Medical Assistance program and are able to explain to consumers the protections offered by long-term care insurance and how this type of insurance relates to private and public financing of long-term care.

2. The training program approved under this paragraph shall include initial training that is not less than 8 hours long and ongoing training sessions that are not less than 4 hours long per session. Individuals who sell long-term care insurance policies shall be required to attend an ongoing training session every 24 months after the initial training. The commissioner may approve the initial and ongoing training sessions for continuing education requirements under s. 628.04 (3).

3. The training under this paragraph shall cover at a minimum long-term care insurance, long-term care services, qualified partnerships, and the relationship between qualified partnerships and other public and private coverage of long-term care costs.
(d) An insurer that issues a long-term care insurance policy described in par.
(b) shall be required to submit reports to the secretary of the federal department of
health and human services, in accordance with regulations developed by the
secretary, that include notice of when benefits are paid under the policy, the amount
of the benefits, notice of the termination of the policy, and any other information
required by the secretary.

SECTION 1552. 49.45 (35) of the statutes is repealed.

SECTION 1553. 49.45 (40) of the statutes is amended to read:

49.45 (40) PERIODIC RECORD MATCHES. If the department contracts with the
department of workforce development children and families under s. 49.197 (5), the
department shall cooperate with the department of workforce development children
and families in matching records of medical assistance recipients under s. 49.32 (7).

SECTION 1554. 49.45 (42m) (a) of the statutes is amended to read:

49.45 (42m) (a) If, in authorizing the provision of physical or occupational
therapy services under s. 49.46 (2) (b) 6. b. or 49.471 (11) (i), the department
authorizes a reduced duration of services from the duration that the provider
specifies in the authorization request, the department shall substantiate the
reduction that the department made in the duration of the services if the provider
of the services requests any additional authorizations for the provision of physical
or occupational therapy services to the same individual.

SECTION 1554m. 49.45 (44m) of the statutes is created to read:

49.45 (44m) EXTENSION OF PARENT ELIGIBILITY WHEN CHILD DIES. The department
shall request a waiver from the secretary of the federal department of health and
human services to permit the department to extend the eligibility of a parent, for up
to 90 days, under the Medical Assistance program under this subchapter or the
Badger Care health care program under s. 49.665 if the parent’s child dies while both
the parent and the child are covered under the Medical Assistance program or the
Badger Care health care program and the parent would lose eligibility solely due to
the death of the child. The department shall implement any waiver that is granted.

Section 1555. 49.45 (48) of the statutes is amended to read:

49.45 (48) Payment of medicare part B outpatient hospital services
coinsurances. The department shall include in the state plan for medical assistance
a methodology for payment of the medicare part B outpatient hospital services
coinsurance amounts that are authorized under ss. 49.46 (2) (c) 2., 4., and 5m., 49.468
(1) (b), and 49.47 (6) (a) 6. b., d., and f., and 49.471 (6) (j) 1.

Section 1556. 49.45 (49m) (c) 1. of the statutes is amended to read:

49.45 (49m) (c) 1. A list of the prescription drugs that are included as a benefit
under ss. 49.46 (2) (b) 6. h. and 49.471 (11) (a) that identifies preferred choices
within therapeutic classes and includes prescription drugs that bear only generic
names.

Section 1557. 49.45 (52) of the statutes is amended to read:

49.45 (52) Payment adjustments. Beginning on January 1, 2003, the
department may, from the appropriation account under s. 20.435 (7) (b), make
Medical Assistance payment adjustments to county departments under s. 46.215,
46.22, 46.23, or 51.42, or 51.437 or to local health departments, as defined in s. 250.01
(4), as appropriate, for covered services under s. 49.46 (2) (a) 2. and 4. d. and f. and
(b) 6. b., c., f., fm., g., j., k., L., Lm., and m., 9., 12., 12m., 13., 15., and 16. Payment
adjustments under this subsection shall include the state share of the payments.
The total of any payment adjustments under this subsection and Medical Assistance
payments made from appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (w),
and (xd) may not exceed applicable limitations on payments under 42 USC 1396a (a)

(SECTION 1558. 49.45 (53) of the statutes is amended to read:

49.45 (53) PAYMENTS FOR CERTAIN SERVICES. Beginning on January 1, 2003, the
department may, from the appropriation account under s. 20.435 (7) (b), make
Medical Assistance payments to providers for covered services under ss. 49.46 (2)
(a) 4. d. and (b) 6. j. and m. and 49.471 (11) (f).

(SECTION 1559e. 49.45 (55) of the statutes is created to read:

49.45 (55) HEALTH OPPORTUNITY ACCOUNTS DEMONSTRATION PROGRAM. The
department shall request from the federal Centers for Medicare and Medicaid
Services approval to participate in a demonstration program under 42 USC 1396u-8,
under which Badger Care recipients may voluntarily enroll to contribute to health
opportunity accounts and receive certain alternative benefits under medical
assistance. If the Centers for Medicare and Medicaid Services approve the
department’s request, the department shall submit a proposed plan for
implementation of the demonstration program to the joint committee on finance.
The department may not implement the plan until it is approved by the committee,
as submitted or as modified.

(SECTION 1559g. 49.45 (56) of the statutes is created to read:

49.45 (56) DISEASE MANAGEMENT PROGRAM. Based on the health conditions
identified by the physical health risk assessments, if performed under sub. (57), the
department shall develop and implement, for Medical Assistance recipients, disease
management programs that are similar to that developed and followed by the
Marshfield Clinic in this state under the Physician Group Practice Demonstration
Program authorized under 42 USC 1315 (e) and (f). These programs shall have at least the following characteristics:

(a) The use of information science to improve health care delivery by summarizing a patient’s health status and providing reminders for preventive measures.

(b) Educating health care providers on health care process improvement by developing best practice models.

(c) The improvement and expansion of care management programs to assist in standardization of best practices, patient education, support systems, and information gathering.

(d) Establishment of a system of provider compensation that is aligned with clinical quality, practice management, and cost of care.

(e) Focus on patient care interventions for certain chronic conditions, to reduce hospital admissions.

SECTION 1559h. 49.45 (57) of the statutes is created to read:

49.45 (57) PHYSICAL HEALTH RISK ASSESSMENT. The department shall encourage each individual who is determined on or after the effective date of this subsection .... [revisor inserts date], to be eligible for Medical Assistance to receive a physical health risk assessment as part of the first physical examination the individual receives under Medical Assistance.

SECTION 1559n. 49.45 (58) of the statutes is created to read:

49.45 (58) HEALTH MAINTENANCE ORGANIZATION PAYMENTS TO HOSPITALS. (a) The department shall establish a schedule of amounts that each health maintenance organization that contracts with the department to provide medical assistance services or services under s. 49.665 for a capitated payment rate shall pay monthly
to each hospital that serves recipients of medical assistance services or recipients of services under s. 49.665. The amounts shall be based on any increase in the capitated rate that the department pays a health maintenance organization, which increase is intended to cover inpatient and outpatient hospital services and which is associated with the assessment imposed on hospitals under s. 50.375. The department shall use the information that it uses to calculate the capitated rates that the department pays health maintenance organizations and encounter data that is provided by the health maintenance organizations to calculate the amounts in the schedule. The department shall disclose publicly the methodology it uses to calculate the amounts in the schedule. The department shall recalculate the amounts in the schedule at least once every 12 months.

(b) The department shall require, as a term of contracts with health maintenance organizations to provide medical assistance services or services under s. 49.665 for a capitated payment rate, that the health maintenance organization do all of the following:

1. Monthly pay hospitals the applicable amounts in the schedule under par. (a).

2. Every 6 months, and for each hospital to which the health maintenance organization made payments under par. (a), reconcile the amount that the health maintenance organization paid the hospital under par. (a) for the previous 6 months with the amount that the hospital charged the health maintenance organization for providing inpatient and outpatient services during the same 6 months to recipients of medical assistance or recipients of services under s. 49.665, and, if the amount of the charges exceeds the amount of the payments, pay the hospital the difference within 90 days.
(bm) If the total payments that a health maintenance organization makes to a hospital under par. (a), for a 6-month period that is subject to a reconciliation under par. (b), exceed the amount that the hospital charges the health maintenance organization for providing inpatient and outpatient services to recipients of medical assistance or recipients of services under s. 49.665 for that 6-month period, the hospital shall pay the health maintenance organization the difference within 90 days after the end of the 6-month period.

(c) If the department determines that a health maintenance organization has not complied with a condition under par. (b), the department shall require the health maintenance organization to comply with the condition within 15 days after the department’s determination. The department may terminate a contract with a health maintenance organization to provide medical assistance services or services under s. 49.665 for a capitated payment rate for failure to comply with a condition under par. (b). The department may audit health maintenance organizations to determine whether they have complied with the conditions under par. (b).

(d) If a health maintenance organization and hospital cannot resolve the amount that a health maintenance organization owes a hospital under par. (b) 2. or that a hospital owes a health maintenance organization under par. (bm), and either the health maintenance organization or the hospital, within 6 months after the end of the time period to which the disputed amount relates, requests that the department determine the amount owed, the department shall determine the amount within 90 days after the request is made. The health maintenance organization or hospital is, upon request, entitled to a contested case hearing under ch. 227 on the department’s determination.

(e) Paragraphs (a), (b), (bm), and (c) do not apply after December 31, 2010.
Section 1560. 49.453 (1) (a) of the statutes is amended to read:

49.453 (1) (a) “Assets” has the meaning given in 42 USC 1396p (e) (h) (1).

Section 1561. 49.453 (1) (ar) of the statutes is created to read:

49.453 (1) (ar) “Community spouse” means the spouse of either the institutionalized person or the noninstitutionalized person.

Section 1562. 49.453 (1) (d) of the statutes is amended to read:

49.453 (1) (d) “Income” has the meaning given in 42 USC 1396p (e) (h) (2).

Section 1563. 49.453 (1) (e) of the statutes is amended to read:

49.453 (1) (e) “Institutionalized individual” has the meaning given in 42 USC 1396p (e) (h) (3).

Section 1564. 49.453 (1) (f) (intro.) of the statutes is amended to read:

49.453 (1) (f) (intro.) “Look-back date” means for a covered individual, either of the following:

1m. For transfers made before February 8, 2006, the date that is 36 months before, or with respect to payments from a trust or portions of a trust that are treated as assets transferred by the covered individual under s. 49.454 (2) (c) or (3) (b) the date that is 60 months before:

Section 1565. 49.453 (1) (f) 1. of the statutes is renumbered 49.453 (1) (f) 1m.

a.

Section 1566. 49.453 (1) (f) 2. of the statutes is renumbered 49.453 (1) (f) 1m.

b.

Section 1567. 49.453 (1) (f) 2m. of the statutes is created to read:

49.453 (1) (f) 2m. For all transfers made on or after February 8, 2006, the date that is 60 months before the dates specified in subd. 1m. a. and b.

Section 1568. 49.453 (1) (fm) of the statutes is amended to read:
49.453 (1) (fm) “Noninstitutionalized individual” has the meaning given in 42
USC 1396p (e) (h) (4).

SECTION 1569. 49.453 (1) (i) of the statutes is amended to read:

49.453 (1) (i) “Resources” has the meaning given in 42 USC 1396p (e) (h) (5).

SECTION 1570. 49.453 (3) (a) of the statutes is renumbered 49.453 (3) (a) (intro.)
and amended to read:

49.453 (3) (a) (intro.) The period of ineligibility under this subsection begins
on either of the following:

1. In the case of a transfer of assets made before February 8, 2006, the first day
of the first month beginning on or after the look−back date during or after which
assets have been transferred for less than fair market value and that does not occur
in any other periods of ineligibility under this subsection.

SECTION 1571. 49.453 (3) (a) 2. of the statutes is created to read:

49.453 (3) (a) 2. In the case of a transfer of assets made on or after February
8, 2006, the first day of a month beginning on or after the look−back date during or
after which assets have been transferred for less than fair market value, or the date
on which the individual is eligible for medical assistance and would otherwise be
receiving institutional level care described in sub. (2) (a) 1. to 3. based on an approved
application for the care but for the application of the penalty period, whichever is
later, and that does not occur during any other period of ineligibility under this
subsection.

SECTION 1572. 49.453 (3) (b) (intro.) of the statutes is amended to read:

49.453 (3) (b) (intro.) The Subject to par. (bc), the department shall determine
the number of months of ineligibility as follows:

SECTION 1573. 49.453 (3) (bc) of the statutes is created to read:
49.453 (3) (bc) In determining the number of months of ineligibility under par. (b), with respect to asset transfers that occur after February 8, 2006, the department may not round down the quotient, or otherwise disregard any fraction of a month, obtained in the division under par. (b) 3.

SECTION 1574. 49.453 (4) (a) of the statutes is renumbered 49.453 (4) (ag).

SECTION 1575. 49.453 (4) (ac) of the statutes is created to read:

49.453 (4) (ac) In this subsection, “transaction” means any action taken by an individual that changes the course of payments to be made under an annuity or the treatment of the income or principal of an annuity, including all of the following:

1. An addition of principal.
2. An elective withdrawal.
3. A request to change the distribution of the annuity.
4. An election to annuitize the contract.
5. A change in ownership.

SECTION 1576. 49.453 (4) (am) of the statutes is amended to read:

49.453 (4) (am) Paragraph (a) (ag) 1. does not apply to a variable annuity that is tied to a mutual fund that is registered with the federal securities and exchange commission.

SECTION 1577. 49.453 (4) (b) of the statutes is amended to read:

49.453 (4) (b) The amount of assets that is transferred for less than fair market value under par. (a) (ag) is the amount by which the transferred amount exceeds the expected value of the benefit.

SECTION 1578. 49.453 (4) (c) of the statutes is amended to read:

49.453 (4) (c) The department shall promulgate rules specifying the method to be used in calculating the expected value of the benefit, based on 26 CFR 1.72–1 to
1.72-18, and specifying the criteria for adjusting the expected value of the benefit 
based on a medical condition diagnosed by a physician before the assets were 
transferred to the annuity, or transferred by promissory note or similar instrument. 
In calculating the amount of the divestment when a transfer to an annuity, or a 
transfer by promissory note or similar instrument, is made, payments made to the 
transferor in any year subsequent to the year in which the transfer was made shall 
be discounted to the year in which the transfer was made by the applicable federal 
rate specified under par. (a) (ag) on the date of the transfer.

**SECTION 1579.** 49.453 (4) (cm) of the statutes is created to read:

49.453 (4) (cm) Paragraphs (ag) to (c) apply to annuities purchased before 
February 8, 2006, for which no transaction has occurred on or after February 8, 2006.

**SECTION 1580.** 49.453 (4) (d) of the statutes is created to read:

49.453 (4) (d) For purposes of sub. (2), the purchase of an annuity by an 
institutionalized individual or his or her community spouse, or anyone acting on 
their behalf, shall be treated as a transfer of assets for less than fair market value 
unless any of the following applies:

1. The state is designated as the remainder beneficiary in the first position for 
at least the total amount of medical assistance paid on behalf of the institutionalized 
individual.

2. The state is named as a beneficiary in the 2nd position after the community 
spouse or a minor or disabled child and is named in the first position if the community 
spouse or a representative of the minor or disabled child disposes of any remainder 
for less than fair market value.

3. The annuity satisfies the requirements under par. (e) 1. or 2.

**SECTION 1581.** 49.453 (4) (e) of the statutes is created to read:
49.453 (4) (e) For purposes of sub. (2), the purchase of an annuity by or on behalf of an annuitant who has applied for medical assistance for nursing facility services or other long-term care services described in sub. (2) is a transfer of assets for less than fair market value unless either of the following applies:

1. The annuity is either an annuity described in section 408 (b) or (q) of the Internal Revenue Code of 1986 or purchased with proceeds from any of the following:
   a. An account or trust described in section 408 (a), (c), or (p) of the Internal Revenue Code of 1986.
   b. A simplified employee pension, within the meaning of section 408 (k) of the Internal Revenue Code of 1986.

2. All of the following apply with respect to the annuity:
   a. The annuity is irrevocable and nonassignable.
   b. The annuity is actuarily sound, as determined in accordance with actuarial publications of the office of the chief actuary of the social security administration.
   c. The annuity provides for payments in equal amounts during the term of the annuity, with no deferral and no balloon payments made.

**SECTION 1582.** 49.453 (4) (em) of the statutes is created to read:

49.453 (4) (em) Paragraphs (d) and (e) apply to all of the following:

1. Annuities purchased on or after February 8, 2006.

2. Annuities purchased before February 8, 2006, for which a transaction has occurred on or after February 8, 2006.

**SECTION 1583.** 49.453 (4c) of the statutes is created to read:

49.453 (4c) PURCHASE OF NOTE, LOAN, OR MORTGAGE. (a) For purposes of sub. (2), the purchase by an individual or his or her spouse of a promissory note, loan, or
mortgage after February 8, 2006, is a transfer of assets for less than fair market
value unless all of the following apply with respect to the note, loan, or mortgage:

1. The repayment term is actuarially sound.
2. The payments are to be made in equal amounts during the term of the loan,
   with no deferral and no balloon payment.
3. Cancellation of the balance upon the death of the lender is prohibited.

(b) The value of a promissory note, loan, or mortgage that does not satisfy the
requirements under par. (a) 1. to 3. is the outstanding balance due on the date that
the individual applies for medical assistance for nursing facility services or other
long-term care services described in sub. (2).

SECTION 1584. 49.453 (4m) of the statutes is created to read:

49.453 (4m) PURCHASE OF LIFE ESTATE. For purposes of sub. (2), the purchase
by an individual or his or her spouse of a life estate in another individual’s home after
February 8, 2006, is a transfer of assets for less than fair market value unless the
purchaser resides in the home for at least one year after the date of the purchase.

SECTION 1585. 49.453 (8) of the statutes is renumbered 49.453 (8) (a) (intro.)
and amended to read:

49.453 (8) (a) (intro.) Subsections (2) and (3) do not apply to transfers of assets
if any of the following applies:

1. The assets are exempt under 42 USC 1396p (c) (2) or if the (A), (B), or (C).
2. The department determines under the process under par. (b) that application
of this section would work an undue hardship. The department shall promulgate
rules concerning the transfer of assets exempt under 42 USC 1396p (c) (2).

SECTION 1586. 49.453 (8) (b) of the statutes is created to read:
49.453 (8) (b) The department shall establish a hardship waiver process that includes all of the following:

1. The department determines that undue hardship exists if the application of subs. (2) and (3) would deprive the individual of medical care to the extent that the individual’s health or life would be endangered, or would deprive the individual of food, clothing, shelter, or other necessities of life.

2. A facility in which an institutionalized individual who has transferred assets resides is permitted to file an application for undue hardship on behalf of the individual with the consent of the individual or the individual’s authorized representative.

3. The department may, during the pendency of an undue hardship determination, pay the full payment rate under s. 49.45 (6m) for nursing facility services for up to 30 days for the individual who transferred assets, to hold a bed in the facility in which the individual resides.

SECTION 1587. 49.46 (1) (a) 5. of the statutes is amended to read:

49.46 (1) (a) 5. Any child in an adoption assistance, foster care, kinship care, long-term kinship care, treatment foster care, or subsidized guardianship placement under ch. 48 or 938, as determined by the department.

SECTION 1588. 49.46 (1) (a) 14m. of the statutes is amended to read:

49.46 (1) (a) 14m. Any person who would meet the financial and other eligibility requirements for home or community-based services under the family care benefit but for the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3), if a waiver under s. 46.281 (4) (e) (1d) is in effect or federal law permits federal financial participation for medical assistance coverage of the person and if funding is available for the person under the family care benefit.
**Section 1589.** 49.46 (2) (b) (intro.) of the statutes is amended to read:

49.46 (2) (b) (intro.) Except as provided in par. pars. (be) and (dc), the department shall audit and pay allowable charges to certified providers for medical assistance on behalf of recipients for the following services:

**Section 1590.** 49.46 (2) (b) 8. of the statutes is amended to read:

49.46 (2) (b) 8. Home or community-based services, if provided under s. 46.27 (11), 46.275, 46.277, 46.278, or 46.2785, under the family care benefit if a waiver is in effect under s. 46.281 (1) (e) (1d), or under a waiver requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c) the disabled children’s long-term support program, as defined in s. 46.011 (1g).

**Section 1591.** 49.46 (2) (dc) of the statutes is created to read:

49.46 (2) (dc) For an individual who is eligible for medical assistance and who is eligible for coverage under Part D of Medicare under 42 USC 1395w−101 et seq., benefits under par. (b) 6. h. do not include payment for any Part D drug, as defined in 42 CFR 423.100, regardless of whether the individual is enrolled in Part D of Medicare or whether, if the individual is enrolled, his or her Part D plan, as defined in 42 CFR 423.4, covers the Part D drug.

**Section 1592.** 49.468 (1) (b) of the statutes is amended to read:

49.468 (1) (b) For an elderly or disabled individual who is entitled to coverage under part A of medicare, entitled to coverage under part B of medicare and who does not meet the eligibility criteria for medical assistance under s. 49.46 (1), 49.465 or 49.47 (4), or 49.471 but meets the limitations on income and resources under par. (d), medical assistance shall pay the deductible and coinsurance portions of medicare services under 42 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz, including those medicare services that are not included in the approved state
plan for services under 42 USC 1396; the monthly premiums payable under 42 USC
1395v; the monthly premiums, if applicable, under 42 USC 1395i–2 (d); and the late
enrollment penalty, if applicable, for premiums under part A of medicare. Payment
of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w,
other than payment of coinsurance for outpatient hospital services, may not exceed
the allowable charge for the service under medical assistance minus the medicare
payment.

SECTION 1593. 49.468 (1) (c) of the statutes is amended to read:

49.468 (1) (c) For an elderly or disabled individual who is only entitled to
coverage under part A of medicare and who does not meet the eligibility criteria for
medical assistance under s. 49.46 (1), 49.465 or 49.47 (4), or 49.471 but meets the
limitations on income and resources under par. (d), medical assistance shall pay the
deductible and coinsurance portions of medicare services under 42 USC 1395 to
1395i which are not paid under 42 USC 1395 to 1395i, including those medicare
services that are not included in the approved state plan for services under 42 USC
1396; the monthly premiums, if applicable, under 42 USC 1395i–2 (d); and the late
enrollment penalty for premiums under part A of medicare, if applicable.

SECTION 1594. 49.468 (1m) (a) of the statutes is amended to read:

49.468 (1m) (a) Beginning on January 1, 1993, for an elderly or disabled
individual who is entitled to coverage under part A of medicare and is entitled to
coverage under part B of medicare, does not meet the eligibility criteria for medical
assistance under s. 49.46 (1), 49.465 or 49.47 (4), or 49.471 but meets the limitations
on income and resources under par. (b), medical assistance shall pay the monthly
premiums under 42 USC 1395r.

SECTION 1595. 49.468 (2) (a) of the statutes is amended to read:
49.468 (2) (a) Beginning on January 1, 1991, for a disabled working individual who is entitled under P.L. 101–239, section 6012 (a), to coverage under part A of medicare and who does not meet the eligibility criteria for medical assistance under s. 49.46 (1), 49.465 or 49.47 (4), or 49.471 but meets the limitations on income and resources under par. (b), medical assistance shall pay the monthly premiums for the coverage under part A of medicare, including late enrollment fees, if applicable.

**Section 1596.** 49.47 (4) (a) (intro.) of the statutes is amended to read:

49.47 (4) (a) (intro.) Any individual who meets the limitations on income and resources under pars. (b) and to (c) and who complies with par. pars. (cm) and (cr) shall be eligible for medical assistance under this section if such individual is:

**Section 1597.** 49.47 (4) (as) 1. of the statutes is amended to read:

49.47 (4) (as) 1. The person would meet the financial and other eligibility requirements for home or community-based services under s. 46.27 (11), 46.277, or 46.2785 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (e) (1d) but for the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3).

**Section 1598.** 49.47 (4) (as) 3. of the statutes is amended to read:

49.47 (4) (as) 3. Funding is available for the person under s. 46.27 (11), 46.277, or 46.2785 or under the family care benefit if a waiver is in effect under s. 46.281 (4) (e) (1d).

**Section 1598r.** 49.47 (4) (b) (intro.) of the statutes is amended to read:

49.47 (4) (b) (intro.) Eligibility exists if the applicant's property, subject to the exclusion of any amounts under the Long-Term Care Partnership Program established under s. 49.45 (31), does not exceed the following:

**Section 1599.** 49.47 (4) (b) 1. of the statutes is amended to read:
49.47 (4) (b) 1. Subject to par. (bc), a home and the land used and operated in connection therewith or in lieu thereof a mobile home if the home or mobile home is used as the person’s or his or her family’s place of abode.

SECTION 1600. 49.47 (4) (bc) of the statutes is created to read:

49.47 (4) (bc) 1. Subject to subd. 2., a person shall be ineligible under this section for medical assistance for nursing facility services or other long-term care services described in s. 49.453 (2) if the equity in his or her home and the land used and operated in connection with the home exceeds $750,000. This subdivision does not apply if any of the following persons lawfully resides in the home:

a. The person’s spouse.

b. The person’s child who is under age 21 or who is disabled, as defined in s. 49.468 (1) (a) 1.

2. Subdivision 1. applies to all of the following:

a. At the time of application, to a person who applies for medical assistance for nursing facility services or other long-term care services described in s. 49.453 (2) after the effective date of this subd. 2. a. .... [revisor inserts date].

b. At the time of the person’s first recertification after the effective date of this subd. 2. b. .... [revisor inserts date], to a person not specified in subd. 2. a. who applied for medical assistance for nursing facility services or other long-term care services described in s. 49.453 (2) on or after January 1, 2006, and who was eligible for medical assistance for those services on the effective date of this subd. 2. b. .... [revisor inserts date].

SECTION 1601. 49.47 (4) (bm) of the statutes is created to read:

49.47 (4) (bm) For purposes of determining eligibility or benefits amount for a person described in par. (a) 3. or 4. who resides in a continuing care retirement
community or a life care community, any entrance fee paid on admission to the community shall be considered a resource available to the person to the extent that all of the following apply:

1. The person has the ability to use the entrance fee, or the contract provides that the entrance fee may be used, to pay for care if the person’s other resources or income are insufficient to pay for the care.

2. The person is eligible for a refund of any remaining entrance fee when the person dies or terminates the continuing care retirement community or life care community contract and leaves the community.

3. The entrance fee does not confer an ownership interest in the continuing care retirement community or life care community.

**SECTION 1602.** 49.47 (4) (cr) of the statutes is created to read:

49.47 (4) (cr) 1. As a condition of receiving medical assistance for long-term care services described in s. 49.453 (2) (a), an applicant for or recipient of the long-term care services shall disclose on the application or recertification form a description of any interest the individual or his or her community spouse, as defined in s. 49.453 (1) (ar), has in an annuity, regardless of whether the annuity is irrevocable or is treated as an asset. The application or recertification form shall include a statement that the state becomes a remainder beneficiary under any annuity in which the individual or his or her spouse has an interest by virtue of the provision of the medical assistance. The applicant or recipient shall, no later than 30 days after the department receives the application or recertification form, take any action required by the annuity issuer to make the state a remainder beneficiary.

2. The department shall notify the issuer of an annuity disclosed under subd. 1. of the state’s right as a remainder beneficiary and shall request that the issuer
notify the department of any changes to or payments made under the annuity contract.

3. This paragraph applies to all of the following:
   a. Annuities purchased on or after February 8, 2006.
   b. Annuities purchased before February 8, 2006, for which a transaction, as defined in s. 49.453 (4) (ac), has occurred on or after February 8, 2006.

SECTION 1603. 49.47 (6) (a) 1. of the statutes is amended to read:

49.47 (6) (a) 1. Except as provided in subds. 6. to 7., all beneficiaries, for all services under s. 49.46 (2) (a) and (b), subject to s. 49.46 (2) (dc).

SECTION 1604. 49.47 (9m) of the statutes is repealed.

SECTION 1605. 49.471 of the statutes is created to read:

49.471 BadgerCare Plus. (1) DEFINITIONS. In this section, unless the context requires otherwise:

   (a) "BadgerCare Plus" means the Medical Assistance program described in this section.

   (b) "Caretaker relative" means an individual who is maintaining a residence as a child's home, who exercises primary responsibility for the child's care and control, including making plans for the child, and who is any of the following with respect to the child:

       1. A blood relative, including those of half-blood, and including first cousins, nephews, nieces, and individuals of preceding generations as denoted by prefixes of grand, great, or great–great.

       2. A stepfather, stepmother, stepbrother, or stepsister.

       3. An individual who is the adoptive parent of the child's parent, a natural or legally adopted child of such individual, or a relative of an adoptive parent.
4. A spouse of any individual named in this paragraph even if the marriage is terminated by death or divorce.

(c) “Child” means an individual who is under the age of 19 years. “Child” includes an unborn child.

(d) “Essential person” means an individual who satisfies all of the following:

   1. Is related to an individual receiving benefits under this section.

   2. Is otherwise nonfinancially eligible, except that the individual need not have a minor child under his or her care.

3. Provides at least one of the following to an individual receiving benefits under this section:

   a. Child care that enables a caretaker to work outside the home for at least 30 hours per week for pay, to receive training for at least 30 hours per week, or to attend, on a full-time basis as defined by the school, high school or a course of study meeting the standards established by the state superintendent of public instruction for the granting of a declaration of equivalency of high school graduation under s. 115.29 (4).

   b. Care for anyone who is incapacitated.

(e) “Family” means all children for whom assistance is requested, their minor siblings, including half brothers, half sisters, stepbrothers, and stepsisters, and any parents of these minors and their spouses.

(f) “Family income” means the total gross earned and unearned income received by all members of a family.

(g) “Group health plan” has the meaning given in 42 USC 300gg–91 (a) (1).

(h) “Health insurance coverage” has the meaning given in 42 USC 300gg–91 (b) (1), and also includes any arrangement under which a 3rd party agrees to pay for the health care costs of the individual.
(i) “Parent” has the meaning given in s. 49.141 (1) (j).

(j) “Recipient” means an individual receiving benefits under this section.

(k) “Unborn child” means an individual from conception until he or she is born alive for whom all of the following requirements are met:

1. The unborn child’s mother is not eligible for medical assistance under this subchapter, except that she may be eligible for benefits under s. 49.45 (27).

2. The income of the unborn child’s mother, mother and her spouse, or mother and her family, whichever is applicable, does not exceed 300 percent of the poverty line.

3. Each of the following applicable persons who is employed provides verification from his or her employer, in the manner specified by the department, of his or her earnings:

   a. The unborn child’s mother.
   b. The spouse of the unborn child’s mother.
   c. Members of the unborn child’s mother’s family.

4. The unborn child’s mother provides medical verification of her pregnancy, in the manner specified by the department. An unborn child’s eligibility for coverage under this section does not begin before the first day of the month in which the unborn child’s mother provides the medical verification.

5. The unborn child and the mother of the unborn child meet all other applicable eligibility requirements under this chapter or established by the department by rule except for any of the following:

   a. The mother is not a U.S. citizen or an alien qualifying for Medicaid under 8 USC 1612.
   b. The mother is an inmate of a public institution.
c. The mother does not provide a social security number, but only if subd. 5. a. applies.

(2) WAIVER. The department shall request a waiver from, and submit amendments to the state Medical Assistance plan to, the secretary of the federal department of health and human services to implement BadgerCare Plus. If the state plan amendments are approved and a waiver that is substantially consistent with the provisions of this section, excluding sub. (2m), is granted and in effect, the department shall implement BadgerCare Plus beginning on January 1, 2008, the effective date of the state plan amendments, or the effective date of the waiver, whichever is latest. If the state plan amendments are not approved or if a waiver that is substantially consistent with the provisions of this section, excluding sub. (2m), is not granted, BadgerCare Plus may not be implemented. If the state plan amendments are approved but approval is not continued or if a waiver that is substantially consistent with the provisions of this section, excluding sub. (2m), is granted but not continued in effect, BadgerCare Plus shall be discontinued.

(2m) APPROVAL TO QUALIFY AS A HEALTH COVERAGE TAX CREDIT PLAN. The department shall seek any necessary federal approvals to ensure that BadgerCare Plus is qualified health insurance under 26 USC 35 (e). Notwithstanding subs. (4) and (5), if BadgerCare Plus is determined to be qualified health insurance under 26 USC 35 (e), the department shall expand eligibility under BadgerCare Plus to include individuals who are eligible individuals under 26 USC 35 (c). Notwithstanding sub. (10) (a) and (b) 1. to 4., individuals who are eligible for coverage under BadgerCare Plus under this subsection shall pay premiums that are equal to the capitation payments that the department would make on behalf of similar
individuals with coverage under BadgerCare Plus, or the full per member per month

cost of coverage, whichever is appropriate.

(3) Ineligibility for Other Medical Assistance Benefits.  (a) 1.

Notwithstanding ss. 49.46 (1), 49.465, 49.47 (4), and 49.665 (4), if the amendments
to the state plan under sub. (2) are approved and a waiver under sub. (2) that is
consistent with all of the provisions of this section, excluding sub. (2m), is granted
and in effect, an individual described in sub. (4) (a) or (b) or (5) is not eligible under
s. 49.46, 49.465, 49.47, or 49.665 for Medical Assistance or BadgerCare health
program benefits.  The eligibility of an individual described in sub. (4) (a) or (b) or
(5) for Medical Assistance benefits shall be determined under this section.

2.  Notwithstanding subd. 1., an individual who is eligible for medical
assistance under s. 49.46 (1) (a) 3. or 4. may not receive benefits under this section.

3.  Notwithstanding subd. 1., an individual described in sub. (4) (a) or (b) or (5)
who is eligible for medical assistance under s. 49.46 (1) (a) 5., 6m., 14., 14m., or 15.
or (d) or 49.47 (4) (a) or (as) may receive medical assistance benefits under this
section or under s. 49.46 or 49.47.

(b) 1.  If an individual over 18 years of age who is eligible for and receiving
Medical Assistance benefits under s. 49.46, 49.47, or 49.665 in the month before
BadgerCare Plus is implemented loses that eligibility solely due to the
implementation of BadgerCare Plus and, because of his or her income, is not eligible
for BadgerCare Plus, the individual shall continue receiving for 18 consecutive
months the medical assistance he or she was receiving before the implementation of
BadgerCare Plus if all of the following are satisfied:
a. The individual's eligibility for the Medical Assistance benefits in the month before the implementation of BadgerCare Plus was based on an application filed before the implementation of BadgerCare Plus.

b. The individual continues to pay any premium that he or she was required to pay for the Medical Assistance coverage in the same amount as the amount that was due in the month before the implementation of BadgerCare Plus.

c. The individual continues to meet all nonfinancial eligibility requirements for the coverage that he or she had in the month before the implementation of BadgerCare Plus.

d. The individual continues to be ineligible for BadgerCare Plus because of his or her income.

2. Notwithstanding subd. 1., if at any time during an individual's 18-month eligibility extension under subd. 1. any criterion under subd. 1. a. to d. is not satisfied, the individual's eligibility for the extended coverage is terminated and any time remaining in the eligibility period is lost.

(4) General Eligibility Criteria; Applicable Benefits. (a) Except as otherwise provided in this section, all of the following individuals are eligible for the benefits described in s. 49.46 (2) (a) and (b), subject to sub. (6) (k):

1. A pregnant woman whose family income does not exceed 200 percent of the poverty line.

2. A child who is under one year of age, whose mother was, on the day the child was born, eligible for and receiving medical assistance under subd. 1. or 5. or s. 49.46 or 49.47, and who lives with his or her mother in this state.
3. A child whose family income does not exceed 200 percent of the poverty line. For a child under this subdivision who is an unborn child, benefits are limited to prenatal care.

3m. A child who obtains eligibility under sub. (7) (b) 2.

4. An individual who satisfies all of the following criteria:

a. The individual is a parent or caretaker relative of a child who is living in the home with the parent or caretaker relative or who is temporarily absent from the home for not more than 6 months or, if the child has been removed from the home for more than 6 months, the parent or caretaker relative is working toward unifying the family by complying with a permanency plan under s. 48.38.

b. Except as provided in subd. 4. c., the individual’s family income does not exceed 200 percent of the poverty line and does not include self-employment income.

c. If the individual’s family income includes self-employment income, the individual’s family income does not exceed 200 percent of the poverty line as calculated under sub. (7) (a) 2.

5. An individual who, regardless of family income, was born on or after January 1, 1990, and who, on his or her 18th birthday, was in a foster care or treatment foster care placement under the responsibility of a state, as determined by the department. The coverage for an individual under this subdivision ends on the last day of the month in which the individual becomes 21 years of age, unless he or she otherwise loses eligibility sooner.

6. Migrant workers and their dependents who are determined eligible under sub. (6) (f).

(b) Except as otherwise provided in this section, all of the following individuals are eligible for the benefits described in sub. (11):
1. A pregnant woman whose family income exceeds 200 percent but does not exceed 300 percent of the poverty line.

1m. A pregnant woman or unborn child who obtains eligibility under sub. (7) (b) 1.

2. A child who is under one year of age, whose mother was determined to be eligible under subd. 1., and who lives with his or her mother in this state.

3. A child whose family income exceeds 200 percent but does not exceed 300 percent of the poverty line. For a child under this subdivision who is an unborn child, benefits are limited to prenatal care.

4. An individual who satisfies all of the following criteria:

a. The individual is a parent or caretaker relative of a child who is living in the home with the parent or caretaker relative or who is temporarily absent from the home for not more than 6 months or, if the child has been removed from the home for more than 6 months, the parent or caretaker relative is working toward unifying the family by complying with a permanency plan under s. 48.38.

b. The individual's family income includes self-employment income and does not exceed 200 percent of the poverty line as calculated under sub. (7) (a) 3.

c. Except as otherwise provided in this section, a child who is not an unborn child and whose family income exceeds 300 percent of the poverty line is eligible to purchase coverage of the benefits described in sub. (11), at the full per member per month cost of the coverage.

(5) Presumptive Eligibility. (a) In this subsection:

1. “Qualified entity” means an entity that satisfies the requirements under 42 USC 1396r–1a (b) (3) (A), as determined by the department.
2. “Qualified provider” means a provider that satisfies the requirements under 42 USC 1396r-1 (b) (2), as determined by the department.

(b) 1. Except as provided in sub. (6) (a), a pregnant woman is eligible for the benefits specified in par. (c) during the period beginning on the day on which a qualified provider determines, on the basis of preliminary information, that the woman’s family income does not exceed 300 percent of the poverty line and ending on the applicable day specified in subd. 3.

2. Except as provided in sub. (6) (a), a child who is not an unborn child is eligible for the benefits described in s. 49.46 (2) (a) and (b) during the period beginning on the day on which a qualified entity determines, on the basis of preliminary information, that the child’s family income does not exceed 150 percent of the poverty line and ending on the applicable day specified in subd. 3.

3. a. If the woman or child applies for benefits under sub. (4) within the time required under par. (d), the benefits specified in subd. 1. or 2., whichever is applicable, end on the day on which the department or the county department under s. 46.215, 46.22, or 46.23 determines whether the woman or child is eligible for benefits under sub. (4).

b. If the woman or child does not apply for benefits under sub. (4) within the time required under par. (d), the benefits specified in subd. 1. or 2., whichever is applicable, end on the last day of the month following the month in which the provider or entity makes the determination under this paragraph.

(c) On behalf of a woman under par. (b) 1., the department shall audit and pay allowable charges to a provider certified under s. 49.45 (2) (a) 11. only for ambulatory prenatal care services under the benefits under sub. (11).
(d) A woman or child who is determined to be eligible under par. (b) shall apply for benefits under sub. (4) on or before the last day of the month following the month in which the qualified provider or entity makes the eligibility determination.

(e) A qualified provider or entity that determines that a woman or child is eligible under par. (b) shall do all of the following:

1. Notify the department of that determination within 5 working days after the day on which the determination is made.

2. Notify the woman or child of the requirement under par. (d) at the time of the determination.

(f) The department shall provide qualified providers and qualified entities with application forms for the benefits under sub. (4) and information on how to assist women and children in completing the forms.

6 MISCELLANEOUS ELIGIBILITY AND BENEFIT PROVISIONS. (a) Any pregnant woman, including a pregnant woman under sub (5) (b) 1., child who is not an unborn child, including a child under sub. (5) (b) 2., parent, or caretaker relative whose family income is less than 150 percent of the poverty line is eligible for medical assistance under this section for any of the 3 months prior to the month of application if the individual met the eligibility criteria under this section and had a family income of less than 150 percent of the poverty line in that month.

(b) A pregnant woman who is determined to be eligible for benefits under sub. (4) remains eligible for benefits under sub. (4) for the balance of the pregnancy and to the last day of the month in which the 60th day after the last day of the pregnancy falls without regard to any change in the woman’s family income.

(c) If a child who is eligible for benefits under sub. (4) is receiving inpatient services covered under sub. (4) on the day before his or her 19th birthday and, but
for attaining 19 years of age, the child would remain eligible for benefits under sub. 
(4), the child remains eligible for benefits until the end of the stay for which the 
inpatient services are being furnished.
(d) If an application under this section shows that an individual is an essential 
person, the individual shall be provided the benefits specified under sub. (4) (a) or 
(b).
(e) The medical assistance eligibility extensions under s. 49.46 (1) (c), (cg), and 
(co) for individuals who lose eligibility due to increased income do not apply to 
BadgerCare Plus.
(f) The medical assistance eligibility provisions for migrant workers and their 
dependents under s. 49.47 (4) (av) apply to BadgerCare Plus.
(g) 1. Except as provided in subd. 2., as a condition of eligibility for coverage 
under this section, an individual with income shall provide verification, as 
determined by the department, of that income.
2. Subdivision 1. does not apply to an individual under sub. (4) (a) 5. or a child 
under the age of 18.
(h) Within 10 days after the change occurs, a recipient shall report to the 
department any change that might affect his or her eligibility or any change that 
might require premium payment by a recipient who was not required to pay 
premiums before the change.
(i) For purposes of determining eligibility and family income, the department 
shall include a family member who is temporarily absent from the home for not more 
than 6 months, as determined by the department.
(j) All of the following apply to BadgerCare Plus in the same respect as they 
apply under s. 49.46:
1. Section 49.46 (2) (c) and (cm), relating to benefits for individuals who are eligible for Medicare.

2. Section 49.46 (2) (d), relating to prohibiting payments for any part of any service payable through 3rd-party liability or any governmental or private benefit system.

3. Section 49.46 (2) (dm), relating to prohibiting payment for services to residents of institutions for mental diseases.

4. Section 49.46 (2) (f), relating to prohibiting payment for gastric bypass or stapling surgery.

(k) For an individual who is eligible for medical assistance under this section and who is eligible for coverage under Part D of Medicare under 42 USC 1395w–101 et seq., benefits under sub. (11) (a) or s. 49.46 (2) (b) 6. h. do not include payment for any Part D drug, as defined in 42 CFR 423.100, regardless of whether the individual is enrolled in Part D of Medicare or whether, if the individual is enrolled, his or her Part D plan, as defined in 42 CFR 423.4, covers the Part D drug.

7) Special income provisions. (a) 1. In the calculation of family income, if an adult member of the family has self-employment income, the department shall count the net self-employment earnings. Net self-employment earnings shall be determined by subtracting from gross self-employment income all self-employment expenses that are allowed under federal and state tax law, except for depreciation.

2. If a parent’s or caretaker relative’s family income includes self-employment income and, without deducting depreciation, does not exceed 200 percent of the poverty line, the parent or caretaker relative is eligible under sub. (4) (a) 4.

3. If a parent’s or caretaker relative’s family income includes self-employment income and, without deducting depreciation, exceeds 200 percent of the poverty line,
the parent or caretaker relative is eligible under sub. (4) (b) 4. if his or her family
income does not exceed 200 percent of the poverty line after depreciation is deducted.

(b) 1. A pregnant woman, or an unborn child, whose family income exceeds 300
percent of the poverty line may become eligible for coverage under this section if the
difference between the pregnant woman’s or unborn child’s family income and the
applicable income limit under sub. (4) (b) is obligated or expended for any member
of the pregnant woman’s or unborn child’s family for medical care or any other type
of remedial care recognized under state law or for personal health insurance
premiums or for both. Eligibility obtained under this subdivision continues without
regard to any change in family income for the balance of the pregnancy and, for a
pregnant woman but not for an unborn child, to the last day of the month in which
the 60th day after the last day of the woman’s pregnancy falls. Eligibility obtained
by a pregnant woman under this subdivision extends to all pregnant women in the
pregnant woman’s family.

2. A child who is not an unborn child and whose family income exceeds 150
percent of the poverty line may obtain eligibility under this section if the difference
between the child’s family income and 150 percent of the poverty line is obligated or
expended on behalf of the child or any member of the child’s family for medical care
or any other type of remedial care recognized under state law or for personal health
insurance premiums or for both. Eligibility obtained under this subdivision during
any 6-month period, as determined by the department, continues for the remainder
of the 6-month period and extends to all children in the family.

3. For a pregnant woman or an unborn child to obtain eligibility under subd.
1., the amount that must be obligated or expended in any 6-month period is equal
to the sum of the differences in each of those 6 months between the pregnant woman’s
or unborn child’s monthly family income and the monthly family income that is 300 percent of the poverty line. For a child to obtain eligibility under subd. 2., the amount that must be obligated or expended in any 6-month period is equal to the sum of the differences in each of those 6 months between the child’s monthly family income and the monthly family income that is 150 percent of the poverty line.

(c) When calculating an individual’s family income, the department shall do all of the following:

1. Deduct from family income any payments made by the individual for court-ordered child or family support or maintenance.

2. Disregard earnings of children under 18 years of age.

3. Determine separately the family incomes of caretaker relatives and the children for whom they are caring and not legally responsible.

4. Not include in the calculation any income of an individual receiving benefits under s. 49.77 or federal Title XVI.

(8) Health insurance coverage and eligibility. (a) 1. Except as provided in subd. 2., any individual who is otherwise eligible under this section and who is eligible for enrollment in a group health plan shall, as a condition of eligibility for BadgerCare Plus and if the department determines that it is cost-effective to do so, apply for enrollment in the group health plan, except that, for a minor, the parent of the minor shall apply on the minor’s behalf.

2. If a parent of a minor fails to enroll the minor in a group health plan in accordance with subd. 1., the failure does not affect the minor’s eligibility under this section.
(b) Except as provided in pars. (c) and (d), an individual whose family income exceeds 150 percent of the poverty line is not eligible for BadgerCare Plus if any of the following applies:

1. The individual has individual or family health insurance coverage that is any of the following:
   a. Coverage provided by an employer and for which the employer pays at least 80 percent of the premium.
   b. Coverage under the state employee health plan under s. 40.51 (6).

2. The individual, in the 12 months before applying, had access to the health insurance coverage specified in subd. 1.

3. The individual could be covered under the health insurance coverage specified in subd. 1. if the coverage is applied for, and the coverage could become available to the individual in the month in which the individual applies for benefits under this section or in any of the next 3 calendar months.

(c) An unborn child, regardless of family income, is not eligible for BadgerCare Plus if any of the following applies:

1. The unborn child or the unborn child’s mother has individual or family health insurance coverage.

2. The unborn child or the unborn child’s mother, in the 12 months before applying, had access to the health insurance coverage specified in par. (b) 1.

3. The unborn child or the unborn child’s mother could be covered under individual or family health insurance coverage if the coverage is applied for, and the coverage could become available to the unborn child or the unborn child’s mother in the month in which the unborn child applies for benefits under this section or in any of the next 3 calendar months.
(d) 1. None of the following is ineligible for BadgerCare Plus by reason of having health insurance coverage or access to health insurance coverage:

a. A pregnant woman.

b. A child described in sub. (4) (a) 2. or (b) 2.

c. Except as provided in par. (c), a child who has health insurance coverage, or access to health insurance coverage, as a dependent of an absent parent but who resides outside of the service area of the absent parent’s plan.

d. An individual described in sub. (4) (a) 5.

e. A child who obtains eligibility under sub. (7) (b) 2., but only for the remainder of the child's eligibility period under sub. (7) (b) 2.

2. An individual under par. (b) 2., or an individual who is an unborn child or an unborn child’s mother under par. (c) 2., is not ineligible if any of the following good cause reasons is the reason that the individual did not obtain the health insurance coverage under par. (b) 1. to which they had access:

a. The individual’s employment ended.

b. The individual’s employer discontinued health insurance coverage for all employees.

c. One or more members of the individual’s family were eligible for other health insurance coverage or Medical Assistance at the time the employee failed to enroll in the health insurance coverage under par. (b) 1. and no member of the family was eligible for coverage under this section at that time.

d. The individual’s access to health insurance coverage has ended due to the death or change in marital status of the subscriber.

e. Any other reason that the department determines is a good cause reason.
(e) If a pregnant woman has health insurance coverage and her family income exceeds 200 percent of the poverty line, the woman is required, as a condition of eligibility, to maintain the health insurance coverage.

(f) If an individual with a family income that exceeds 150 percent of the poverty line had the health insurance coverage specified in par. (b) 1. but no longer has the coverage, if an individual who is an unborn child or an unborn child’s mother, regardless of family income, had health insurance coverage but no longer has the coverage, or if a pregnant woman specified in par. (e) has health insurance coverage and does not maintain the coverage, the individual or pregnant woman is not eligible for BadgerCare Plus for the 3 calendar months following the month in which the insurance coverage ended without a good cause reason specified in par. (g).

(g) Any of the following is a good cause reason for purposes of par. (f):

1. The individual or pregnant woman was covered by a group health plan that was provided by a subscriber through his or her employer, and the subscriber’s employment ended for a reason other than voluntary termination, unless the voluntary termination was a result of the incapacitation of the subscriber or because on an immediate family member’s health condition.

2. The individual or pregnant woman was covered by a group health plan that was provided by a subscriber through his or her employer, the subscriber changed employers, and the new employer does not offer health insurance coverage.

3. The individual or pregnant woman was covered by a group health plan that was provided by a subscriber through his or her employer, and the subscriber’s employer discontinued health plan coverage for all employees.

4. The pregnant woman’s coverage was continuation coverage and the continuation coverage was exhausted in accordance with 29 CFR 2590.701-2 (4).
5. The individual’s or pregnant woman’s coverage terminated due to the death
or change in marital status of the subscriber.

6. Any other reason determined by the department to be a good cause reason.

(9) EMPLOYER VERIFICATION OF INSURANCE COVERAGE. (a) 1. Except as provided
in subd. 2., for an applicant or recipient with a family income that exceeds 150
percent of the poverty line, the department shall verify insurance coverage and
access information directly with the employer through which the applicant or
recipient may have health insurance coverage or access to coverage.

2. Subdivision 1. does not apply to any of the following:

   a. A pregnant woman.

   b. A child described in sub. (4) (a) 2. or (b) 2.

   c. An individual described in sub. (4) (a) 5.

(b) An employer that receives a request from the department for insurance
coverage and access to coverage information shall supply the information requested
by the department in the format specified by the department within 30 calendar days
after receiving the request.

(c) 1. Subject to subds. 2. and 3., an employer that does not comply with the
requirements under par. (b) shall be required to pay, within 45 days after the
requested information was due, a penalty equal to the full per member per month
cost of coverage under BadgerCare Plus for the individual about whom the
information is requested, and for each of the individual’s family members with
coverage under BadgerCare Plus, for each month in which the individual and the
individual’s family members are covered before the employer provides the
information.
2. An employer with fewer than 250 employees may not be required to pay more than $1,000 in penalties under this paragraph that are attributable to any 6-month period. An employer with 250 or more employees may not be required to pay more than $15,000 in penalties under this paragraph that are attributable to any 6-month period.

3. Notwithstanding subd. 1., an employer shall not be subject to any penalties if the employer, at least once per year, timely provides to the department, in the manner and format specified by the department, information from which the department may determine whether the employer provides its employees with access to health insurance coverage.

4. All penalty assessments collected under this paragraph shall be credited to the appropriation accounts under s. 20.435 (4) (jw) and (jz).

(d) An employer may contest a penalty assessment under par. (c) by sending a written request for hearing to the division of hearings and appeals in the department of administration. Proceedings before the division are governed by ch. 227.

(10) Cost sharing. (a) Copayments. Except as provided in s. 49.45 (18) (am), all cost-sharing provisions under s. 49.45 (18) apply to a recipient with coverage of the benefits described in s. 49.46 (2) (a) and (b) to the same extent as they apply to a person eligible for medical assistance under s. 49.46, 49.468, or 49.47.

(b) Premiums. 1. Except as provided in subd. 4., a recipient who is an adult, who is not a pregnant woman, and whose family income is greater than 150 percent but not greater than 200 percent of the poverty line shall pay a premium for coverage under BadgerCare Plus that does not exceed 5 percent of his or her family income. If the recipient has self-employment income and is eligible under sub. (4) (b) 4., the
1 premium may not exceed 5 percent of family income calculated before depreciation
2 was deducted.

3. Except as provided in subds. 3. and 4., a recipient who is a child whose family
4 income is greater than 200 percent of the poverty line shall pay a premium for
5 coverage of the benefits described in sub. (11) that does not exceed the full per
6 member per month cost of coverage for a child with a family income of 300 percent
7 of the poverty line.

8. Except as provided in subd. 4., a recipient who is an unborn child, or a
9 pregnant woman eligible under sub. (4) (b) 1., whose family income is greater than
10 200 percent of the poverty line shall pay a premium for coverage of the benefits
11 described in sub. (11) that does not exceed the full per member per month cost of
12 coverage for an adult with a family income of 300 percent of the poverty line.

4. None of the following shall pay a premium:

a. A child who is a Native American or an Alaskan Native with a family income
15 that does not exceed 300 percent of the poverty line.

b. A child who is eligible under sub. (4) (a) 2. or (b) 2.

c. A child whose family income does not exceed 200 percent of the poverty line.

d. A pregnant woman whose family income does not exceed 200 percent of the
19 poverty line.

e. A child who obtains eligibility under sub. (7) (b) 2.

f. An individual who is eligible under sub. (4) (a) 5.

5. If a recipient who is required to pay a premium under this paragraph or
19 under sub. (2m) or (4) (c) does not pay a premium when due, the recipient’s coverage
20 terminates and the recipient is not eligible for BadgerCare Plus for 6 calendar
21 months following the date on which the recipient’s coverage terminated.
(11) BENCHMARK PLAN BENEFITS AND COPAYMENTS. Recipients who are not eligible for the benefits described in s. 49.46 (2) (a) and (b) shall have coverage of the following benefits and pay the following copayments:

(a) Subject to sub. (6) (k), prescription drugs bearing only a generic name, as defined in s. 450.12 (1) (b), with a copayment of no more than $5 per prescription, and subject to the Badger Rx Gold program discounts.

(b) Physicians’ services, including one annual routine physical examination, with a copayment of no more than $15 per visit.

(c) Inpatient hospital services as medically necessary, subject to coinsurance payment per inpatient stay of no more than 10 percent of the allowable payment rates under s. 49.46 (2) for the services provided and a copayment of no more than $50 per admission for psychiatric services.

(d) Outpatient hospital services, subject to coinsurance payment of no more than 10 percent of the allowable payment rates under s. 49.46 (2) for the services provided, except that use of emergency room services for treatment of a condition that is not an emergency medical condition, as defined in s. 632.85 (1) (a), shall require a copayment of no more than $75.

(e) Laboratory and X-ray services, including mammography.

(f) Home health services, limited to 60 visits per year.

(g) Skilled nursing home services, limited to 30 days per year, and subject to coinsurance payment of no more than 10 percent of the allowable payment rates under s. 49.46 (2) for the services provided.

(h) Inpatient rehabilitation services, limited to 60 days per year, and subject to coinsurance payment of no more than 10 percent of the allowable payment rates under s. 49.46 (2) for the services provided.
(i) Physical, occupational, speech, and pulmonary therapy, limited to 20 visits per year for each type of therapy, and subject to coinsurance payment of no more than 10 percent of the allowable payment rates under s. 49.46 (2) for the services provided.

(j) Cardiac rehabilitation, limited to 36 visits per year and subject to coinsurance payment of no more than 10 percent of the allowable payment rates under s. 49.46 (2) for the services provided.

(k) Inpatient, outpatient, and transitional treatment for nervous or mental disorders and alcoholism and other drug abuse problems, with a copayment of no more than $15 per visit and coverage limits that are the same as those under the state employee health plan under s. 40.51 (6).

(L) Durable medical equipment, limited to $2,500 per year, and subject to coinsurance payment of no more than 10 percent of the allowable payment rates under s. 49.46 (2) for the articles provided.

(m) Transportation to obtain emergency medical care only, as medically necessary, and subject to coinsurance payment of no more than 10 percent of the allowable payment rates under s. 49.46 (2) for the services provided.

(n) One refractive eye examination every 2 years, with a copayment of no more than $15 per visit.

(o) Fifty percent of allowable charges for preventive and basic dental services, including services for accidental injury and for the diagnosis and treatment of temporomandibular disorders. The coverage under this paragraph is limited to $750 per year, applies only to pregnant women and children under 19 years of age, and requires an annual deductible of $200 and a copayment of no more than $15 per visit.

(p) Early childhood developmental services, for children under 6 years of age.

(q) Smoking cessation treatment, for pregnant women only.
(r) Prenatal care coordination, for pregnant women at high risk only.

(11m) **Provider payments and requirements.** The provider of a service or equipment under sub. (11) shall collect the specified or allowable copayment or coinsurance, unless the provider determines that the cost of collecting the copayment or coinsurance exceeds the amount to be collected. The department shall reduce payments for services or equipment under sub. (11) by the amount of the specified or allowable copayment or coinsurance. A provider may deny care or services or equipment under sub. (11) if the recipient does not pay the specified or allowable copayment or coinsurance. If a provider provides care or services or equipment under sub. (11) to a recipient who is unable to share costs as specified in sub. (11), the recipient is not relieved of liability for those costs.

(12) **Rules; notice of effective date.** (a) 1. The department may promulgate any rules necessary for and consistent with its administrative responsibilities under this section, including additional eligibility criteria.

2. The department may promulgate emergency rules under s. 227.24 for the administration of this section for the period before the effective date of any permanent rules promulgated under subd. 1., but not to exceed the period authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department is not required to provide evidence that promulgating a rule under this subdivision as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subdivision.

(b) If the amendments to the state plan submitted under sub. (2) are approved and a waiver that is consistent with all of the provisions of this section is granted and
in effect, the department shall publish a notice in the Wisconsin Administrative
Register that states the date on which BadgerCare Plus is implemented.

**SECTION 1606.** 49.472 (6) (a) of the statutes is amended to read:

49.472 (6) (a) Notwithstanding sub. (4) (a) 3., from the appropriation account
under s. 20.435 (4) (b), (gp), or (w), or (xd), the department shall, on the part of an
individual who is eligible for medical assistance under sub. (3), pay premiums for or
purchase individual coverage offered by the individual’s employer if the department
determines that paying the premiums for or purchasing the coverage will not be more
costly than providing medical assistance.

**SECTION 1607.** 49.472 (6) (b) of the statutes is amended to read:

49.472 (6) (b) If federal financial participation is available, from the
appropriation account under s. 20.435 (4) (b), (gp), or (w), or (xd), the department may
pay medicare Part A and Part B premiums for individuals who are eligible for
medicare and for medical assistance under sub. (3).

**SECTION 1608.** 49.473 (2) (a) of the statutes is amended to read:

49.473 (2) (a) The woman is not eligible for medical assistance under ss. 49.46
(1) and (1m), 49.465, 49.468, 49.47, 49.471, and 49.472, and is not eligible for health
care coverage under s. 49.665.

**SECTION 1609.** 49.473 (5) of the statutes is amended to read:

49.473 (5) The department shall audit and pay, from the appropriation
accounts under s. 20.435 (4) (b), (gp), and (o), and (xd), allowable charges to a provider
who is certified under s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman
who meets the requirements under sub. (2) for all benefits and services specified
under s. 49.46 (2).

**SECTION 1610.** 49.475 (1) (a) of the statutes is renumbered 49.475 (1) (ar).
SECTION 1611. 49.475 (1) (ag) of the statutes is created to read:

49.475 (1) (ag) “Covered entity” means any of the following that is not an insurer:

1. A nonprofit hospital, as defined in s. 46.21 (2) (m).
2. An employer, as defined in s. 101.01 (4), labor union, or other group of persons organized in this state if the employer, labor union, or other group provides prescription drug coverage to covered individuals who reside or are employed in this state.
3. A comprehensive or limited health care benefits program administered by the state that provides prescription drug coverage.

SECTION 1612. 49.475 (1) (am) of the statutes is created to read:

49.475 (1) (am) “Covered individual” means an individual who is a member, participant, enrollee, policyholder, certificate holder, contract holder, or beneficiary of a covered entity, or a dependent of the individual, and who receives prescription drug coverage from or through the covered entity.

SECTION 1613. 49.475 (1) (c) of the statutes is created to read:

49.475 (1) (c) “Pharmacy benefits management” means the procurement of prescription drugs at a negotiated rate for dispensation in this state to covered individuals; the administration or management of prescription drug benefits provided by a covered entity for the benefit of covered individuals; or any of the following services provided in the administration of pharmacy benefits:

1. Dispensation of prescription drugs by mail.
2. Claims processing, retail network management, and payment of claims to pharmacies for prescription drugs dispensed to covered individuals.
3. Clinical formulary development and management services.
SECTION 1613. 49.475 (1) (d) of the statutes is created to read:

49.475 (1) (d) “Pharmacy benefits manager” means a person that performs pharmacy benefits management functions.

SECTION 1614. 49.475 (1) (e) of the statutes is created to read:

49.475 (1) (e) “Recipient” means an individual or his or her spouse or dependent who has been or is one of the following:

1. A recipient of medical assistance or of a program administered under medical assistance under a waiver of federal Medicaid laws.

2. An enrollee of family care.

3. A recipient of the Badger Care health care program.

4. An individual who receives benefits under s. 49.68, 49.683, or 49.685.

5. A participant in the program of prescription drug assistance for elderly persons under s. 49.688.

6. A woman who receives services that are reimbursed under s. 255.06.

SECTION 1616. 49.475 (1) (f) of the statutes is created to read:

49.475 (1) (f) “Third party” means an entity that by statute, rule, or contract is responsible for payment of a claim for a health care item or service. “Third party” includes all of the following:

1. An insurer.

2. An employee benefit plan described in 29 USC 1003 (a) that is not exempt under 29 USC 1003 (b) and is not a multiple employer welfare arrangement.

3. A service benefit plan, as specified in 42 USC 1396a (25) (I).
4. A pharmacy benefits manager.

SECTION 1617. 49.475 (2) of the statutes is repealed and recreated to read:

49.475 (2) REQUIREMENTS OF 3RD PARTIES. As a condition of doing business in this state, a 3rd party shall do all of the following:

(a) Upon the department’s request and in the manner prescribed by the department, provide information to the department necessary for the department to ascertain all of the following with respect to a recipient:

1. Whether the recipient is being or has been provided coverage or a benefit or service by a 3rd party.

2. If subd. 1. applies, the nature and period of time of any coverage, benefit, or service provided, including the name, address, and identifying number of any applicable coverage plan.

(b) Accept assignment to the department of a right of a recipient to receive 3rd-party payment for an item or service for which payment under medical assistance has been made and accept the department’s right to recover any 3rd-party payment made for which assignment has not been accepted.

(c) Respond to an inquiry by the department concerning a claim for payment of a health care item or service if the department submits the inquiry less than 36 months after the date on which the health care item or service was provided.

(d) If all of the following apply, agree not to deny a claim submitted by the department under par. (b) solely because of the claim’s submission date, the type or format of the claim form, or failure by a recipient to present proper documentation at the time of delivery of the service, benefit, or item that is the basis of the claim:

1. The department submits the claim less than 36 months after the date on which the health care item or service was provided.
2. Action by the department to enforce the department’s rights under this section with respect to the claim is commenced less than 72 months after the department submits the claim.

SECTION 1618. 49.475 (3) (intro.) of the statutes is amended to read:

49.475 (3) Written agreement. (intro.) Upon requesting *an insurer a 3rd party* to provide the information under sub. (2) (a), the department and the 3rd party shall enter into a written agreement with the insurer that satisfies all of the following:

SECTION 1619. 49.475 (3) (a) of the statutes is amended to read:

49.475 (3) (a) Identifies in detail the detailed format of the information to be disclosed provided to the department.

SECTION 1620. 49.475 (3) (c) of the statutes is amended to read:

49.475 (3) (c) Specifies how the insurer’s 3rd party’s reimbursable costs under sub. (5) will be determined and specifies the manner of payment.

SECTION 1621. 49.475 (4) (a) of the statutes is amended to read:

49.475 (4) (a) An insurer 3rd party shall provide the information requested under sub. (2) (a) within 180 days after receiving the department’s request if it is the first time that the department has requested the insurer 3rd party to disclose information under this section.

SECTION 1622. 49.475 (4) (b) of the statutes is amended to read:

49.475 (4) (b) An insurer 3rd party shall provide the information requested under sub. (2) (a) within 30 days after receiving the department’s request if the department has previously requested the insurer 3rd party to disclose information under this section.

SECTION 1623. 49.475 (4) (d) of the statutes is created to read:
49.475 (4) (d) If a 3rd party other than an insurer fails to comply with par. (a) or (b), the department may so notify the attorney general.

**SECTION 1624.** 49.475 (5) of the statutes is amended to read:

49.475 (5) From the appropriations under s. 20.435 (4) (bm) and (pa), the department shall reimburse an insurer A 3rd party that provides information under this section sub. (2) (a) for the insurer’s 3rd party’s reasonable costs incurred in providing the requested information, including its reasonable costs, if any, to develop and operate automated systems specifically for the disclosure of the information under this section.

**SECTION 1625.** 49.475 (6) of the statutes is created to read:

49.475 (6) **SHARING INFORMATION.** The department of health and family services shall provide to the department of workforce development, for purposes of the medical support liability program under s. 49.22, any information that the department of health and family services receives under this section. The department of workforce development may allow a county child support agency under s. 59.53 (5) or a tribal child support agency access to the information, subject to the use and disclosure restrictions under s. 49.83, and shall consult with the department of health and family services regarding procedures and methods to adequately safeguard the confidentiality of the information provided under this subsection.

**SECTION 1626.** 49.475 (6) of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.475 (6) **SHARING INFORMATION.** The department of health and family services shall provide to the department of workforce development children and families, for purposes of the medical support liability program under s. 49.22, any information...
that the department of health and family services receives under this section. The department of workforce development children and families may allow a county child support agency under s. 59.53 (5) or a tribal child support agency access to the information, subject to the use and disclosure restrictions under s. 49.83, and shall consult with the department of health and family services regarding procedures and methods to adequately safeguard the confidentiality of the information provided under this subsection.

SECTION 1627. 49.48 (1m) of the statutes is amended to read:

49.48 (1m) If an individual who applies for or to renew a certification under sub. (1) does not have a social security number, the individual, as a condition of obtaining the certification, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A certification issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

SECTION 1628. 49.48 (2) of the statutes is amended to read:

49.48 (2) The department of health and family services may not disclose any information received under sub. (1) to any person except to the department of workforce development children and families for the purpose of making certifications required under s. 49.857.

SECTION 1629. 49.48 (3) of the statutes is amended to read:

49.48 (3) The department of health and family services shall deny an application for the issuance or renewal of a certification specified in sub. (1), shall suspend a certification specified in sub. (1) or may, under a memorandum of understanding under s. 49.857 (2), restrict a certification specified in sub. (1) if the
department of workforce development children and families certifies under s. 49.857 that the applicant for or holder of the certificate is delinquent in the payment of court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings.

**SECTION 1629m.** 49.485 of the statutes is created to read:

49.485 **False claims.** Whoever knowingly presents or causes to be presented to any officer, employee, or agent of this state a false claim for medical assistance shall forfeit not less than $5,000 nor more than $10,000, plus 3 times the amount of the damages that were sustained by the state or would have been sustained by the state, whichever is greater, as a result of the false claim. The attorney general may bring an action on behalf of the state to recover any forfeiture incurred under this section.

**SECTION 1630.** 49.49 (3m) (a) (intro.) of the statutes is amended to read:

49.49 (3m) (a) (intro.) No provider may knowingly impose upon a recipient charges in addition to payments received for services under ss. 49.45 to 49.47 49.471 or knowingly impose direct charges upon a recipient in lieu of obtaining payment under ss. 49.45 to 49.47 49.471 except under the following conditions:

**SECTION 1631.** 49.49 (3m) (a) 1. of the statutes is amended to read:

49.49 (3m) (a) 1. Benefits or services are not provided under s. 49.46 (2) or 49.471 (11) and the recipient is advised of this fact prior to receiving the service.

**SECTION 1632.** 49.49 (3m) (a) 2. of the statutes is amended to read:
49.49 (3m) (a) 2. If an applicant is determined to be eligible retroactively under s. 49.46 (1) (b) or 49.47 (4) (d) and a provider bills the applicant directly for services and benefits rendered during the retroactive period, the provider shall, upon notification of the applicant’s retroactive eligibility, submit claims for reimbursement payment under s. 49.45 for covered services or benefits rendered to the recipient during the retroactive period. Upon receipt of payment under s. 49.45, the provider shall reimburse the applicant recipient or other person who has made prior payment to the provider. No provider may be required to reimburse the applicant or other person in excess of the amount reimbursed under s. 49.45 for services provided to the recipient during the retroactive eligibility period, by the amount of the prior payment made.

SECTION 1633. 49.49 (3m) (a) 2. of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

49.49 (3m) (a) 2. If an applicant is determined to be eligible retroactively under s. 49.46 (1) (b) or, 49.47 (4) (d), or 49.471 and a provider bills the applicant directly for services and benefits rendered during the retroactive period, the provider shall, upon notification of the applicant’s retroactive eligibility, submit claims for payment under s. 49.45 for covered services or benefits rendered to the recipient during the retroactive period. Upon receipt of payment under s. 49.45, the provider shall reimburse the recipient or other person who has made prior payment to the provider for services provided to the recipient during the retroactive eligibility period, by the amount of the prior payment made.

SECTION 1634. 49.49 (3m) (a) 3. of the statutes is amended to read:

49.49 (3m) (a) 3. Benefits or services for which recipient copayment, coinsurance, or deductible is required under s. 49.45 (18), not to exceed maximum
amounts allowable under 42 CFR 447.53 to 447.58, or for which recipient copayment
or coinsurance is required under s. 49.471 (11).

SECTION 1634r. 49.496 (3) (a) (intro.) of the statutes is amended to read:

49.496 (3) (a) (intro.) Except as provided in par. (b), the department shall file
a claim against the estate of a recipient for all of the following, subject to the exclusion
of any amounts under the Long-Term Care Partnership Program established under
s. 49.45 (31), unless already recovered by the department under this section:

SECTION 1635. 49.497 (title) of the statutes is amended to read:

49.497 (title) Recovery of incorrect Medical Assistance or Badger Care
payments and of unpaid employer penalties.

SECTION 1636. 49.497 (1r) of the statutes is created to read:

49.497 (1r) (a) The department may recover any penalty assessment not paid
under s. 49.471 (9) (c) from the employer against which the penalty was assessed.
If, after notice that payment of a penalty is overdue, the employer who is liable fails
to pay the penalty amount, or enter into or comply with an agreement for payment,
the department may bring an action to enforce the liability or may issue an order to
compel payment of the liability. Any person aggrieved by an order issued by the
department under this paragraph may appeal the order as a contested case under
ch. 227 by filing with the department a request for a hearing within 30 days after the
date of the order. The only issue at the hearing shall be the determination by the
department that the person has not paid the penalty or entered into, or complied
with, an agreement for payment.

(b) If any employer named in an order to compel payment issued under par. (a)
fails to pay the department any amount due under the terms of the order and no
contested case to review the order is pending and the time for filing for a contested
case review has expired, the department may present a certified copy of the order to
the circuit court for any county. The sworn statement of the secretary shall be
evidence of the failure to pay the penalty. The circuit court shall, without notice,
render judgment in accordance with the order. A judgment rendered under this
paragraph shall have the same effect and shall be entered in the judgment and lien
docket and may be enforced in the same manner as if the judgment had been
rendered in an action tried and determined by the circuit court.

(c) The recovery procedure under this subsection is in addition to any other
recovery procedure authorized by law.

SECTION 1637. 49.497 (4) of the statutes is amended to read:

49.497 (4) The department may appear for the state in any and all collection
matters under this section, and may commence suit in the name of the department
to recover an incorrect payment from the recipient to whom or on whose behalf it was
made or to recover an unpaid penalty from the employer against which the penalty
was assessed.

SECTION 1638. 49.665 (4) (ap) 2. of the statutes is repealed.

SECTION 1639. 49.665 (4) (at) 1. a. of the statutes is amended to read:

49.665 (4) (at) 1. a. Except as provided in subd. 1. b., the department shall
establish a lower maximum income level for the initial eligibility determination if
funding under s. 20.435 (4) (bc), (jz), (p), and (x), and (xd) is insufficient to
accommodate the projected enrollment levels for the health care program under this
section. The adjustment may not be greater than necessary to ensure sufficient
funding.

SECTION 1640. 49.665 (4) (at) 1. cm. of the statutes is amended to read:
49.665 (4) (at) 1. cm. Notwithstanding s. 20.001 (3) (b), if, after reviewing the plan submitted under subd. 1. b., the joint committee on finance determines that the amounts appropriated under s. 20.435 (4) (be), (jz), (p), and (x), and (xd) are insufficient to accommodate the projected enrollment levels, the committee may transfer appropriated moneys from the general purpose revenue appropriation account of any state agency, as defined in s. 20.001 (1), other than a sum sufficient appropriation account, to the appropriation account under s. 20.435 (4) (be) (b) to supplement the health care program under this section if the committee finds that the transfer will eliminate unnecessary duplication of functions, result in more efficient and effective methods for performing programs, or more effectively carry out legislative intent, and that legislative intent will not be changed by the transfer.

SECTION 1641. 49.665 (4) (at) 2. of the statutes is amended to read:

49.665 (4) (at) 2. If, after the department has established a lower maximum income level under subd. 1., projections indicate that funding under s. 20.435 (4) (be), (jz), (p), and (x), and (xd) is sufficient to raise the level, the department shall, by state plan amendment, raise the maximum income level for initial eligibility, but not to exceed 185% of the poverty line.

SECTION 1641d. 49.665 (4g) of the statutes is created to read:

49.665 (4g) DISEASE MANAGEMENT PROGRAM. Based on the health conditions identified by the physical health risk assessments, if performed under sub. (4m), the department shall develop and implement, for individuals who are eligible under sub. (4), disease management programs that are similar to that developed and followed by the Marshfield Clinic in this state under the Physician Group Practice Demonstration Program authorized under 42 USC 1315 (e) and (f). These programs shall have at least the following characteristics:
(a) The use of information science to improve health care delivery by summarizing a patient's health status and providing reminders for preventive measures.

(b) Educating health care providers on health care process improvement by developing best practice models.

(c) The improvement and expansion of care management programs to assist in standardization of best practices, patient education, support systems, and information gathering.

(d) Establishment of a system of provider compensation that is aligned with clinical quality, practice management, and cost of care.

(e) Focus on patient care interventions for certain chronic conditions, to reduce hospital admissions.

SECTION 1641e. 49.665 (4m) of the statutes is created to read:

49.665 (4m) PHYSICAL HEALTH RISK ASSESSMENT. The department shall encourage each individual who is determined on or after the effective date of this subsection .... [revisor inserts date], to be eligible under sub. (4) to receive a physical health risk assessment as part of the first physical examination the individual receives under Badger Care.

SECTION 1642. 49.665 (5m) of the statutes is repealed and recreated to read:

49.665 (5m) INFORMATION ABOUT BADGER CARE RECIPIENTS. The department shall obtain and share information about Badger Care health care program recipients as provided in s. 49.475.

SECTION 1644. 49.665 (7) (a) 1. of the statutes is amended to read:

49.665 (7) (a) 1. Notwithstanding sub. (4) (a) 3m. and (ap) 2., the department shall mail information verification forms to the employers of the individuals required
to provide the verifications under sub. (4) (a) 3m. and (ap) 2. to obtain the information specified.

**SECTION 1646.** 49.686 (6) of the statutes is created to read:

49.686 (6) **HEALTH INSURANCE RISK-SHARING PLAN PILOT PROGRAM.** (a) Subject to par. (b), the department shall conduct a 3-year pilot program, to begin on January 1, 2008, under which the department may pay premiums for coverage under the Health Insurance Risk-Sharing Plan under subch. II of ch. 149, and pay copayments under that plan for prescription drugs for which reimbursement may be provided under sub. (2), for individuals who satisfy all of the following:

1. The individuals are eligible for reimbursement under this section.
2. The individuals are currently taking antiretroviral drugs.
3. The individuals do not have health insurance coverage.
4. The individuals are not eligible for premium subsidies under s. 252.16 or 252.17 because they are not on unpaid medical leave, are not unable to continue employment, and have not had to reduce their employment hours because of an illness or medical condition arising from or related to HIV.

(b) The pilot program shall be open to a minimum of 100 participants, with more participants if the department determines that it is cost-effective.

(c) The department may promulgate rules for the administration of the pilot program. Notwithstanding s. 227.24 (3), rules under this paragraph may be promulgated as emergency rules under s. 227.24 without a finding of emergency.

**SECTION 1650.** 49.687 (6) of the statutes is created to read:

49.687 (6) The department shall obtain and share information about individuals who receive benefits under s. 49.68, 49.683, or 49.685 as provided in s. 49.475.
**SECTION 1651.** 49.688 (5) (a) (intro.) of the statutes is amended to read:

49.688 (5) (a) (intro.) Beginning on September 1, 2002, except as provided in sub. (7) (b), as a condition of participation by a pharmacy or pharmacist in the program under s. 49.45, 49.46, or 49.47, or 49.471, the pharmacy or pharmacist may not charge a person who presents a valid prescription order and a card indicating that he or she meets eligibility requirements under sub. (2) an amount for a prescription drug under the order that exceeds the following:

**SECTION 1655.** 49.688 (8m) of the statutes is repealed and recreated to read:

49.688 (8m) The department shall obtain and share information about participants in the program under this section as provided in s. 49.475.

**SECTION 1656.** 49.775 (2) (bm) of the statutes is amended to read:

49.775 (2) (bm) The custodial parent assigns to the state any right of the custodial parent or of the dependent child to support from any other person. No amount of support that begins to accrue after the individual ceases to receive payments under this section may be considered assigned to the state. Any money that is received by the department of workforce development children and families under an assignment to the state under this paragraph and that is not the federal share of support shall be paid to the custodial parent. The department of workforce development children and families shall pay the federal share of support assigned under this paragraph as required under federal law or waiver.

**SECTION 1657.** 49.78 (4) of the statutes is amended to read:

49.78 (4) Rules; merit system. The department of workforce development children and families shall promulgate rules for the efficient administration of aid to families with dependent children in agreement with the requirement for federal aid, including the establishment and maintenance of personnel standards on a merit
basis. The provisions of this section relating to personnel standards on a merit basis supersede any inconsistent provisions of any law relating to county personnel. This subsection shall not be construed to invalidate the provisions of s. 46.22 (1) (d).

**SECTION 1658.** 49.78 (5) of the statutes is amended to read:

49.78 (5) **PERSONNEL EXAMINATIONS.** Statewide examinations to ascertain qualifications of applicants in any county department administering aid to families with dependent children shall be given by the administrator of the division of merit recruitment and selection in the office of state employment relations. The office of state employment relations shall be reimbursed for actual expenditures incurred in the performance of its functions under this section from the appropriations available to the department of health and family services children and families for administrative expenditures.

**SECTION 1659.** 49.78 (7) of the statutes is amended to read:

49.78 (7) **COUNTY PERSONNEL SYSTEMS.** Pursuant to rules promulgated under sub. (4), the department of workforce development children and families where requested by the county shall delegate to that county, without restriction because of enumeration, any or all of the authority of the department of workforce development’s authority children and families under sub. (4) to establish and maintain personnel standards including salary levels.

**SECTION 1660.** 49.785 (1) (intro.) of the statutes is amended to read:

49.785 (1) (intro.) Except as provided in sub. (1m), if any recipient of benefits under s. 49.148, 49.46 or 49.77, or under 42 USC 1381 to 1385 in effect on May 8, 1980, specified in sub. (1c) dies and the estate of the deceased recipient is insufficient to pay the funeral, burial, and cemetery expenses of the deceased recipient, the county or applicable tribal governing body or organization responsible
for burial of the recipient shall pay, to the person designated by the county
department under s. 46.215, 46.22, or 46.23 or applicable tribal governing body or
organization responsible for the burial of the recipient, all of the following:

**SECTION 1660.** 49.785 (1c) of the statutes is created to read:

49.785 (1c) All of the following are eligible recipients under this section:

(a) A recipient of benefits under s. 49.148, 49.46, or 49.77, or under 42 USC 1381
to 1385 in effect on May 8, 1980.

(b) A recipient of benefits under s. 49.471 who is any of the following:

1. A pregnant woman or a child under 6 years of age with a family income not
   exceeding 185 percent of the poverty line at the time of death.

2. A child at least 6 years of age but less than 19 years of age with a family
   income not exceeding 100 percent of the poverty line at the time of death.

3. A parent or caretaker relative with a family income not exceeding 50 percent
   of the poverty line at the time of death.

**SECTION 1661.** 49.79 (1) (b) of the statutes is repealed.

**SECTION 1662.** 49.79 (1) (d) of the statutes is repealed.

**SECTION 1663.** 49.79 (1) (e) of the statutes is repealed.

**SECTION 1664.** 49.79 (1) (g) of the statutes is created to read:

49.79 (1) (g) “Wisconsin Works employment position” has the meaning given
in s. 49.141 (1) (r).

**SECTION 1665.** 49.79 (2) (a) of the statutes is repealed.

**SECTION 1666.** 49.79 (2) (b) of the statutes is renumbered 49.79 (2) and
amended to read:
49.79 (2) An individual who fails to comply with the work requirements of the employment and training program under s. 49.13 (2) (a) sub. (9) is ineligible to participate in the food stamp program as specified under s. 49.13 (3) sub. (9) (b).

**SECTION 1667f.** 49.79 (8m) of the statutes is created to read:

49.79 (8m) **APPLICANTS FROM CORRECTIONAL INSTITUTIONS.** (a) The department shall allow a prisoner who is applying for the food stamp program from a correctional institution in anticipation of being released from the institution to use the address of the correctional institution as his or her address on the application.

(b) The department shall allow an employee of a correctional institution who has been authorized by a prisoner of the institution to act on his or her behalf in matters related to the food stamp program to receive and conduct telephone calls on behalf of the prisoner in matters related to the food stamp program.

**SECTION 1669.** 49.79 (10) of the statutes is repealed.

**SECTION 1670.** 49.81 (intro.) of the statutes is amended to read:

49.81 **Public assistance recipients’ bill of rights.** (intro.) The department of health and family services, the department of workforce development, children and families, and all public assistance and relief-granting agencies shall respect rights for recipients of public assistance. The rights shall include all rights guaranteed by the U.S. constitution and the constitution of this state, and in addition shall include:

**SECTION 1671.** 49.81 (4) of the statutes is amended to read:

49.81 (4) The right to a speedy determination of the recipient’s status or eligibility for public assistance, to notice of any proposed change in such status or eligibility, and, in the case of assistance granted under s. 49.19, 49.46, 49.468 or 49.47, or 49.471, to a speedy appeals process for resolving contested determinations.

**SECTION 1672.** 49.82 (1) of the statutes is amended to read:
49.82 (1) DEPARTMENTS TO ADVISE COUNTIES. The department of health and family services and the department of workforce development children and families shall advise all county officers charged with the administration of requirements relating to public assistance programs under this chapter and shall render all possible assistance in securing compliance therewith, including the preparation of necessary forms and reports. The department of health and family services and the department of workforce development children and families shall also publish any information that those departments consider advisable to acquaint persons entitled to public assistance, and the public generally, with the laws governing public assistance under this chapter.

SECTION 1673. 49.82 (2) of the statutes is renumbered 49.82 (2) (a) and amended to read:

49.82 (2) (a) Proof shall be provided Except as provided in par. (b), for each person included in an application for public assistance under this chapter, except for a child who is eligible for medical assistance under s. 49.46 or 49.47 because of 42 USC 1396a (e) (4) or an unborn child who is eligible for coverage under the Badger Care health care program under s. 49.665 (4) (ap), proof shall be provided of his or her social security number or that an application for a social security number has been made.

SECTION 1674. 49.82 (2) (b) of the statutes is created to read:

49.82 (2) (b) Paragraph (a) does not apply to any of the following:

1. A child who is eligible for medical assistance under s. 49.46 or 49.47 because of 42 USC 1396a (e) (4).

2. An unborn child who is eligible for coverage under the Badger Care health care program under s. 49.665 (4) (ap).
3. A person who is applying for medical assistance under subch. IV, coverage under the Badger Care health care program under s. 49.665, or coverage under the program for prescription drug assistance for elderly persons under s. 49.688 and who refuses to obtain a social security number because of well-established religious objections, as defined in 42 CFR 435.910 (h) (2).

**SECTION 1675.** 49.82 (2) (b) 1. of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.82 (2) (b) 1. A child who is eligible for medical assistance under s. 49.46 or 49.47, or 49.471 because of 42 USC 1396a (e) (4).

**SECTION 1676.** 49.82 (2) (b) 2. of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.82 (2) (b) 2. An unborn child who is eligible for coverage under s. 49.471 or the Badger Care health care program under s. 49.665 (4) (ap).

**SECTION 1677.** 49.83 of the statutes is amended to read:

49.83 Limitation on giving information. Except as provided under s. 49.32 (9), (10), and (10m), no person may use or disclose information concerning applicants and recipients of relief funded by a relief block grant, aid to families with dependent children, Wisconsin Works under ss. 49.141 to 49.161, social services, child and spousal support and establishment of paternity and medical support liability services under s. 49.22, or supplemental payments under s. 49.77 for any purpose not connected with the administration of the programs, except that the department of workforce development and the department of revenue for the sole purpose of administering state taxes. Any person violating this section may be fined not less than $25 nor more than $500 or imprisoned in the county jail not less than 10 days nor more than one year or both.
SECTION 1678. 49.84 (6) of the statutes is created to read:

49.84 (6) (a) In this subsection, “department” means the department of health and family services.

(b) 1. Notwithstanding any other eligibility requirements for the programs specified in par. (c), unless excepted by par. (c) an applicant for or recipient under any of those programs who declares himself or herself to be a citizen or national of the United States shall provide, as a further condition of eligibility, satisfactory documentary evidence, as provided in par. (d), that he or she is a citizen or national of the United States.

2. An applicant shall provide the documentation at the time of application. If a recipient was not required to provide documentation at the time he or she applied, the recipient shall provide the documentation the first time his or her eligibility is reviewed or redetermined after the effective date of this subdivision .... [revisor inserts date]. An applicant or recipient shall be granted a reasonable time, as determined by the department, to submit the documentation before his or her eligibility is denied or terminated.

(c) The requirement to provide satisfactory documentary evidence under par. (b) applies to applicants for and recipients under all of the following:

1. The Medical Assistance program under subch. IV, except for any of the following:

   a. An applicant or recipient who is entitled to benefits under or enrolled in any part of Medicare under 42 USC 1395 et seq., as amended.

   b. An applicant or recipient who is receiving supplemental security income under 42 USC 1381 to 1383c.

   c. A person who is eligible for medical assistance under s. 49.45 (27).
a. A child who is receiving medical assistance under s. 49.46 (1) (a) 13. or 49.47 (4) (am) 3.

e. A pregnant woman who is receiving medical assistance under s. 49.465.

2. The Badger Care health care program under s. 49.665, except for an unborn child under s. 49.665 (4) (ap).

3. The part of the prescription drug assistance for elderly persons program under s. 49.688 that is supported by a Medical Assistance waiver under 42 USC 1315 (a), as authorized under s. 49.688 (11).

(d) Satisfactory documentary evidence that an applicant or a recipient is a citizen or national of the United States consists of the documents or other forms of evidence specified in 42 CFR 435.407.

SECTION 1679. 49.84 (6) (c) 1. d. of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.84 (6) (c) 1. d. A child who is receiving medical assistance under s. 49.46 (1) (a) 13. or 49.47 (4) (am) 3., or 49.471 (4) (a) 2. or (b) 2. or an unborn child receiving prenatal care under s. 49.471.

SECTION 1680. 49.84 (6) (c) 1. e. of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

49.84 (6) (c) 1. e. A pregnant woman who is receiving medical assistance under s. 49.465 or a child or pregnant woman who is receiving medical assistance under s. 49.465 (5) (b) 1. or 2.

SECTION 1681. 49.845 (1) of the statutes is amended to read:

49.845 (1) FRAUD INVESTIGATION. From the appropriations under s. 20.435 (4) (bn), (kz), (L), and (nn), the department of health and family services shall establish a program to investigate suspected fraudulent activity on the part of recipients of
medical assistance under subch. IV, food stamp benefits under the food stamp
program under 7 USC 2011 to 2036, supplemental security income payments under
s. 49.77, payments for the support of children of supplemental security income
recipients under s. 49.775, and health care benefits under the Badger Care health
care program under s. 49.665 and, if the department of workforce development
children and families contracts with the department of health and family services
under sub. (4), on the part of recipients of aid to families with dependent children
under s. 49.19 and participants in the Wisconsin Works program under ss. 49.141 to
49.161. The activities of the department of health and family services under this
subsection may include comparisons of information provided to the department by
an applicant and information provided by the applicant to other federal, state, and
local agencies, development of an advisory welfare investigation prosecution
standard, and provision of funds to county departments under ss. 46.215, 46.22, and
46.23 and to Wisconsin Works agencies to encourage activities to detect fraud. The
department of health and family services shall cooperate with district attorneys
regarding fraud prosecutions.

**SECTION 1682.** 49.845 (2) of the statutes is amended to read:

49.845 (2) STATE ERROR REDUCTION ACTIVITIES. The department of health and
family services shall conduct activities to reduce payment errors in the Medical
Assistance program under subch. IV, the food stamp program under 7 USC 2011 to
2036, the supplemental security income payments program under s. 49.77, the
program providing payments for the support of children of supplemental security
income recipients under s. 49.775, and the Badger Care health care program under
s. 49.665 and, if the department of workforce development children and families
contracts with the department of health and family services under sub. (4), in Wisconsin Works under ss. 49.141 to 49.161.

**SECTION 1683.** 49.845 (3) of the statutes is amended to read:

49.845 (3) **Wisconsin Works Agency Error Reduction.** If the department of workforce development children and families contracts with the department of health and family services under sub. (4), the department of health and family services shall provide funds from the appropriation under s. 20.435 (4) (kz) to Wisconsin Works agencies to offset the administrative costs of reducing payment errors in Wisconsin Works under ss. 49.141 to 49.161.

**SECTION 1684.** 49.845 (4) of the statutes is amended to read:

49.845 (4) **Contract for Wisconsin Works.** Notwithstanding s. 49.197 (1m) and (3), the department of workforce development children and families may contract with the department of health and family services to investigate suspected fraudulent activity on the part of recipients of aid to families with dependent children under s. 49.19 and participants in Wisconsin Works under ss. 49.141 to 49.161 and to conduct activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161, as provided in this section.

**SECTION 1685.** 49.85 (1) of the statutes is amended to read:

49.85 (1) **Department Notification Requirement.** If a county department under s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American Indian tribe or band determines that the department of health and family services may recover an amount under s. 49.497, 49.793, or 49.847, or that the department of workforce development children and families may recover an amount under s. 49.161 or 49.195 (3) or collect an amount under s. 49.147 (6) (cm), the county department or governing body shall notify the affected department of the
determination. If a Wisconsin Works agency determines that the department of workforce development children and families may recover an amount under s. 49.161 or 49.195 (3), or collect an amount under s. 49.147 (6) (cm), the Wisconsin Works agency shall notify the department of workforce development children and families of the determination.

SECTION 1686. 49.85 (2) (b) of the statutes is amended to read:

49.85 (2) (b) At least annually, the department of workforce development children and families shall certify to the department of revenue the amounts that, based on the notifications received under sub. (1) and on other information received by the department of workforce development children and families, the department of workforce development children and families has determined that it may recover under ss. 49.161 and 49.195 (3) and collect under s. 49.147 (6) (cm), except that the department of workforce development children and families may not certify an amount under this subsection unless it has met the notice requirements under sub. (3) and unless its determination has either not been appealed or is no longer under appeal.

SECTION 1687. 49.85 (3) (b) (intro.) of the statutes is amended to read:

49.85 (3) (b) (intro.) At least 30 days before certification of an amount, the department of workforce development children and families shall send a notice to the last-known address of the person from whom that department intends to recover or collect the amount. The notice shall do all of the following:

SECTION 1688. 49.85 (3) (b) 1. of the statutes is amended to read:

49.85 (3) (b) 1. Inform the person that the department of workforce development children and families intends to certify to the department of revenue an amount that the department of workforce development children and families has
determined to be due under s. 49.161 or 49.195 (3) or to be delinquent under a
repayment agreement for a loan under s. 49.147 (6), for setoff from any state tax
refund that may be due the person.

**SECTION 1689.** 49.85 (3) (b) 2. of the statutes is amended to read:

49.85 (3) (b) 2. Inform the person that he or she may appeal the determination
of the [Department of Workforce Development: Children and Families](#) to certify the
amount by requesting a hearing under sub. (4) within 30 days after the date of the
letter and inform the person of the manner in which he or she may request a hearing.

**SECTION 1690.** 49.85 (3) (b) 3. of the statutes is amended to read:

49.85 (3) (b) 3. Inform the person that, if the determination of the department
of workforce development: Children and Families is appealed, that department will
not certify the amount to the department of [Revenue](#) while the determination of the
department of workforce development: Children and Families is under appeal.

**SECTION 1691.** 49.85 (3) (b) 4. of the statutes is amended to read:

49.85 (3) (b) 4. Inform the person that, unless a contested case hearing is
requested to appeal the determination of the department of workforce development:
Children and Families, the person may be precluded from challenging any subsequent
setoff of the certified amount by the department of [Revenue](#), except on the grounds
that the certified amount has been partially or fully paid or otherwise discharged,
since the date of the notice.

**SECTION 1692.** 49.85 (3) (b) 5. of the statutes is amended to read:

49.85 (3) (b) 5. Request that the person inform the department of workforce
development: Children and Families if a bankruptcy stay is in effect with respect to the
person or if the claim has been discharged in bankruptcy.

**SECTION 1693.** 49.85 (4) (b) of the statutes is amended to read:
49.85 (4) (b) If a person has requested a hearing under this subsection, the department of workforce development children and families shall hold a contested case hearing under s. 227.44, except that the department of workforce development children and families may limit the scope of the hearing to exclude issues that were presented at a prior hearing or that could have been presented at a prior opportunity for hearing.

**SECTION 1694.** 49.85 (5) of the statutes is amended to read:

49.85 (5) **EFFECT OF CERTIFICATION.** Receipt of a certification by the department of revenue shall constitute a lien, equal to the amount certified, on any state tax refunds or credits owed to the obligor. The lien shall be foreclosed by the department of revenue as a setoff under s. 71.93. Certification of an amount under this section does not prohibit the department of health and family services or the department of workforce development children and families from attempting to recover or collect the amount through other legal means. The department of health and family services or the department of workforce development children and families shall promptly notify the department of revenue upon recovery or collection of any amount previously certified under this section.

**SECTION 1695.** 49.852 (1) of the statutes is renumbered 49.852 (1m) and amended to read:

49.852 (1m) The department of workforce development may direct the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan to withhold the amount specified in the statewide support lien docket under s. 49.854 (2) (b) from any lump sum payment from a pension plan that may be paid a delinquent support obligor, except that the department of
workforce development may not direct that an amount be withheld under this subsection unless it has met the notice requirements under sub. (2) and unless the amount specified has either not been appealed or is no longer under appeal under s. 49.854.

SECTION 1696. 49.852 (1c) of the statutes is created to read:

49.852 (1c) In this section, “department” means the department of children and families.

SECTION 1697. 49.852 (2) (intro.) of the statutes is amended to read:

49.852 (2) (intro.) The department of workforce development shall send a notice to the last-known address of the person from whom the department intends to recover the amount specified in the statewide support lien docket under s. 49.854 (2) (b). The notice shall do all of the following:

SECTION 1698. 49.852 (2) (c) of the statutes is amended to read:

49.852 (2) (c) Request that the person inform the department of workforce development or the appropriate county child support agency under s. 59.53 (5) if a bankruptcy stay is in effect with respect to the person.

SECTION 1699. 49.852 (3) of the statutes is amended to read:

49.852 (3) If a person has requested a hearing pursuant to sub. (2) (b), the hearing shall be conducted before the circuit court that rendered the initial order to pay support. The court shall schedule a hearing within 10 business days after receiving a request for a hearing. A circuit court commissioner may conduct the hearing. If the court determines that the person owes the amount specified in the statewide support lien docket under s. 49.854 (2) (b), the department of workforce development may direct the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201,
laws of 1937, or the administrator of any other pension plan, whichever is appropriate, to withhold the amount from any lump sum payment from a pension plan that may be paid the person. If the court determines that the person does not owe the amount specified in the statewide support lien docket under s. 49.854 (2) (b), the department of workforce development may not direct the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan, whichever is appropriate, to withhold the amount from any lump sum payment from a pension plan that may be paid the person.

**Section 1700.** 49.852 (4) (a) of the statutes is amended to read:

49.852 (4) (a) If the department of workforce development directs the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan to withhold the amount specified in the statewide support lien docket under s. 49.854 (2) (b), this directive shall constitute a lien, equal to the amount specified in the statewide support lien docket, on any lump sum payment from a pension plan that may be paid the person.

**Section 1701.** 49.852 (4) (b) of the statutes is amended to read:

49.852 (4) (b) If the department of workforce development directs the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan to withhold the amount specified in the statewide support lien docket under s. 49.854 (2) (b), the department of employee trust funds, the retirement system of any 1st class city, any retirement system established under chapter 201, laws of 1937, or the administrator of any other pension plan shall deduct
from any lump sum payment that may be paid the person the amount specified in
the statewide support lien docket, less any amount specified under par. (d). If the
amount specified in the statewide support lien docket under s. 49.854 (2) (b), less any
amount specified under par. (d), exceeds the lump sum payment, the department of
employee trust funds, the retirement system of any 1st class city, any retirement
system established under chapter 201, laws of 1937, or the administrator of any
other pension plan shall deduct the entire lump sum payment, less any withholdings
otherwise required by law. The amount deducted under this paragraph shall be
remitted to the department of workforce development.

SECTION 1702. 49.852 (4) (c) of the statutes is amended to read:
49.852 (4) (c) A directive to the department of employee trust funds, the
retirement system of any 1st class city, any retirement system established under
chapter 201, laws of 1937, or the administrator of any other pension plan to withhold
the amount specified in the statewide support lien docket under s. 49.854 (2) (b)
under this section does not prohibit the department of workforce development from
attempting to recover the amount through other legal means.

SECTION 1703. 49.852 (4) (d) of the statutes is amended to read:
49.852 (4) (d) The department of workforce development shall promptly notify
the department of employee trust funds, the retirement system of any 1st class city,
any retirement system established under chapter 201, laws of 1937, or the
administrator of any other pension plan upon recovery of any amount previously
specified in the statewide support lien docket under s. 49.854 (2) (b).

SECTION 1704. 49.853 (1) (b) of the statutes is amended to read:
49.853 (1) (b) “Department” means the department of workforce development
children and families.
SECTION 1705. 49.854 (1) (a) of the statutes is amended to read:

49.854 (1) (a) “Department” means the department of workforce development children and families.

SECTION 1706. 49.854 (5) (a) 3. of the statutes is created to read:

49.854 (5) (a) 3. “Lien” means a lien under this section or a lien in favor of another state based on a support obligation, including a lien placed under s. 769.305 (2) (g).

SECTION 1707. 49.854 (5) (b) of the statutes is amended to read:

49.854 (5) (b) Notice to the financial institution. To enforce a lien under this section by levying against an account at a financial institution, the department shall send a notice of levy to the financial institution instructing the financial institution to prohibit the closing of or withdrawals from one or more accounts that the obligor owns in whole or in part, up to a total amount that is sufficient to pay the support owed, financial institution fees under par. (e), and estimated levy fees and costs under sub. (11), until further notice from the department or a court. The financial institution shall comply with the notice of levy and shall hold the amount specified in the notice until the financial institution receives further instructions from the department or a court.

SECTION 1708. 49.854 (5) (c) of the statutes is created to read:

49.854 (5) (c) Liens in favor of other states. Notwithstanding par. (b), if a lien under par. (b) is in favor of another state, the notice sent by the department to the financial institution may consist of the request from the other state to enforce the lien, a certification by the department that any necessary due process requirements were met in the other state, a request that the financial institution honor the request from the other state by sending the amount specified in the request directly to the
other state, and the address to which the financial institution shall send the funds. Notice and hearing requirements under pars. (d) and (f) do not apply to a lien in favor of another state.

**SECTION 1709.** 49.854 (5) (e) of the statutes is amended to read:

> 49.854 (5) (e) **Financial institution fees.** A financial institution may continue to collect fees, under the terms of the account agreement, on accounts frozen under this subsection. In addition to the levy fee authorized under sub. (11) (a), a financial institution may collect any early withdrawal penalty incurred under the terms of an account as a result of the levy. Financial institution fees authorized under this paragraph may be charged to the account immediately prior to the remittance of the amount to the department or the other state and may be charged even if the amounts in the obligor’s accounts are insufficient to pay the total amount of support owed and the department’s levy costs under sub. (11) (b).

**SECTION 1710.** 49.854 (11) (b) of the statutes is amended to read:

> 49.854 (11) (b) **The department.** The department may assess a collection fee to recover the department’s costs incurred in levying against property under this section. The department shall determine its costs to be paid in all cases of levy. The obligor is liable to the department for the amount of the collection fee authorized under this paragraph. Fees collected under this paragraph shall be credited to the appropriation account under s. 20.445 (3) 20.437 (2) (ja).

**SECTION 1711.** 49.855 (1) of the statutes is amended to read:

> 49.855 (1) If a person obligated to pay child support, family support, maintenance, or the receiving and disbursing fee under s. 767.57 (1e) (a) is delinquent in making any of those payments, or owes an outstanding amount that has been ordered by the court for past support, medical expenses, or birth expenses,
upon application under s. 59.53 (5) the department of workforce development children and families shall certify the delinquent payment or outstanding amount to the department of revenue and, at least annually, shall provide to the department of revenue any certifications of delinquencies or outstanding amounts that it receives from another state because the obligor resides in this state.

**SECTION 1712.** 49.855 (2r) of the statutes is created to read:

49.855 (2r) At least annually, the department of children and families shall certify to the department of revenue any obligation owed to that department under s. 49.345 if the obligation is rendered to a judgment.

**SECTION 1713.** 49.855 (3) of the statutes is amended to read:

49.855 (3) Receipt of a certification by the department of revenue shall constitute a lien, equal to the amount certified, on any state tax refunds or credits owed to the obligor. The lien shall be foreclosed by the department of revenue as a setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the obligor that the state intends to reduce any state tax refund or credit due the obligor by the amount the obligor is delinquent under the support, maintenance, or receiving and disbursing fee order or obligation, by the outstanding amount for past support, medical expenses, or birth expenses under the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20 days the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. Within 10 days after receiving a request for hearing under this subsection, the court shall set the matter for hearing. Pending further order by the court or a circuit court commissioner, the department of workforce development children and families or its designee, whichever is
appropriate, is prohibited from disbursing the obligor’s state tax refund or credit. A circuit court commissioner may conduct the hearing. The sole issues at that hearing shall be whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld from a tax refund or credit shall be paid to the obligor or held for future support or maintenance, except that the obligor’s ability to pay shall also be an issue at the hearing if the obligation relates to an order under s. 767.51 (3) (e) 1. or 767.62 (4) (d) 1. s. 767.89 (3) (e) 1. or 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that the obligor’s income was at or below the poverty line established under 42 USC 9902 (2).

Section 1714. 49.855 (4) (a) of the statutes is amended to read:

49.855 (4) (a) The department of revenue shall send the portion of any state tax refunds or credits withheld for delinquent child or family support or maintenance or past support, medical expenses, or birth expenses to the department of workforce development children and families or its designee for deposit in the support collections trust fund under s. 25.68 and shall send the portion of any state tax refunds or credits withheld for delinquent receiving and disbursing fees to the department of workforce development children and families or its designee for deposit in the appropriation account under s. 20.445 (3) 20.437 (2) (ja). The department of workforce development children and families shall make a settlement at least annually with the department of revenue. The settlement shall state the amounts certified, the amounts deducted from tax refunds and credits, and the administrative costs incurred by the department of revenue.

Section 1715. 49.855 (4) (b) of the statutes is amended to read:
49.855 (4) (b) The department of administration shall send the portion of any
federal tax refunds or credits received from the internal revenue service that was
withheld for delinquent child or family support or maintenance or past support,
medical expenses, or birth expenses to the department of workforce development
children and families or its designee for deposit in the support collections trust fund
under s. 25.68 and shall send the portion of any federal tax refunds or credits received
from the internal revenue service that was withheld for delinquent receiving and
disbursing fees to the department of workforce development children and families
or its designee for deposit in the appropriation account under s. 20.445 (3) 20.437 (2)
(ja).

SECTION 1716. 49.855 (4m) (b) of the statutes is amended to read:

49.855 (4m) (b) The department of revenue may provide a certification that it
receives under sub. (1), (2m), or (2r) to the department of administration.
Upon receipt of the certification, the department of administration shall determine
whether the obligor is a vendor or is receiving any other payments from this state,
except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
45.40 (1), this chapter, or ch. 46, 108, or 301. If the department of administration
determines that the obligor is a vendor or is receiving payments from this state,
except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
45.40 (1), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount
certified from those payments and shall notify the obligor that the state intends to
reduce any payments due the obligor by the amount the obligor is delinquent under
the support, maintenance, or receiving and disbursing fee order or obligation, by the
outstanding amount for past support, medical expenses, or birth expenses under the
court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The
notice shall provide that within 20 days after receipt of the notice the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. An obligor may, within 20 days after receiving notice, request a hearing under this paragraph. Within 10 days after receiving a request for hearing under this paragraph, the court shall set the matter for hearing. A circuit court commissioner may conduct the hearing. Pending further order by the court or circuit court commissioner, the department of workforce development children and families or its designee, whichever is appropriate, may not disburse the payments withheld from the obligor. The sole issues at the hearing are whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld shall be paid to the obligor or held for future support or maintenance, except that the obligor’s ability to pay is also an issue at the hearing if the obligation relates to an order under s. 767.51 (3) (e) 1. or 767.62 (4) (d) 1. s. 767.89 (3) (e) 1. or 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that the obligor’s income was at or below the poverty line established under 42 USC 9902 (2).

SECTION 1717. 49.855 (4m) (c) of the statutes is amended to read:

49.855 (4m) (c) Except as provided by order of the court after hearing under par. (b), the department of administration shall continue withholding until the amount certified is recovered in full. The department of administration shall transfer the amounts withheld under this paragraph to the department of workforce development children and families or its designee, the department of health and family services, or the department of corrections, whichever is appropriate. The department of workforce development children and families or its designee shall deposit amounts withheld for delinquent child or family support, maintenance, or
receiving and disbursing fees or past support, medical expenses, or birth expenses in the appropriation account under s. 20.445 (3) 20.437 (2) (kp).

SECTION 1718. 49.855 (5) of the statutes is amended to read:

49.855 (5) Certification of an obligation to the department of revenue does not deprive any party of the right to collect the obligation or to prosecute the obligor. The department of workforce development children and families or its designee shall immediately notify the department of revenue of any collection of an obligation that has been certified to the department of revenue.

SECTION 1719. 49.856 (1) (b) of the statutes is amended to read:

49.856 (1) (b) “Department” means the department of workforce development children and families.

SECTION 1720. 49.857 (1) (cf) of the statutes is created to read:

49.857 (1) (cf) “Department” means the department of children and families.

SECTION 1721. 49.857 (1) (f) of the statutes is amended to read:

49.857 (1) (f) “Subpoena or warrant” means a subpoena or warrant issued by the department of workforce development or a child support agency and relating to paternity or support proceedings.

SECTION 1722. 49.857 (2) (a) of the statutes is amended to read:

49.857 (2) (a) The department of workforce development shall establish a system, in accordance with federal law, under which a licensing authority is requested, and a licensing agency or credentialing board is required, to restrict, limit, suspend, withhold, deny, refuse to grant or issue, or refuse to renew or revalidate a license in a timely manner upon certification by and in cooperation with the department of workforce development, if the individual holding or applying for
the license is delinquent in making court-ordered payments of support or fails to comply, after appropriate notice, with a subpoena or warrant.

**SECTION 1723.** 49.857 (2) (b) (intro.) of the statutes is amended to read:

49.857 (2) (b) (intro.) Under the system, the department of workforce development shall enter into a memorandum of understanding with a licensing authority, if the licensing authority agrees, and with a licensing agency. A memorandum of understanding under this paragraph shall address at least all of the following:

**SECTION 1724.** 49.857 (2) (b) 2. (intro.) of the statutes is amended to read:

49.857 (2) (b) 2. (intro.) Procedures that the department of workforce development shall use for doing all of the following:

**SECTION 1725.** 49.857 (2) (b) 2. a. of the statutes is amended to read:

49.857 (2) (b) 2. a. Certifying to the licensing authority or licensing agency a delinquency in support or a failure to comply with a subpoena or warrant. The memorandum of understanding with the department of regulation and licensing shall include procedures for the department of regulation and licensing to notify a credentialing board that a certification of delinquency in support or failure to comply with a subpoena or warrant has been made by the department of workforce development children and families with respect to an individual who holds or applied for a credential granted by the credentialing board.

**SECTION 1726.** 49.857 (2) (b) 3. c. of the statutes is amended to read:

49.857 (2) (b) 3. c. Issuing or reinstating a license if the department of workforce development children and families notifies the licensing authority or licensing agency that an individual who was delinquent in making court-ordered payments of support has paid the delinquent support or made satisfactory
alternative payment arrangements or that an individual who failed to comply with a subpoena or warrant has satisfied the requirements under the subpoena or warrant. The memorandum of understanding with the department of regulation and licensing shall include procedures for the department of regulation and licensing to direct a credentialing board to grant or reinstate a credential if the department of workforce development, children and families notifies the department of regulation and licensing that an individual who holds or applied for a credential granted by the credentialing board has paid the delinquent support or made satisfactory alternative payment arrangements or that an individual who failed to comply with a subpoena or warrant has satisfied the requirements under the subpoena or warrant.

**SECTION 1727.** 49.857 (2) (b) 5. of the statutes is amended to read:

49.857 (2) (b) 5. Procedures for safeguarding the confidentiality of information about an individual, including social security numbers obtained by the department of workforce development, the licensing authority, the licensing agency, or a credentialing board.

**SECTION 1728.** 49.857 (3) (a) (intro.) of the statutes is amended to read:

49.857 (3) (a) (intro.) Before the department of workforce development certifies to a licensing authority or a licensing agency under the system established under sub. (2) that an individual is delinquent in making court-ordered payments of support, the department of workforce development or a child support agency shall provide notice to the individual by regular mail. The notice shall inform the individual of all of the following:

**SECTION 1729.** 49.857 (3) (a) 4. of the statutes is amended to read:
49.857 (3) (a) 4. That the certification will not be made if the individual pays
the delinquent amount in full or makes satisfactory alternative payment
arrangements with the department of workforce development or a child support
agency. The notice shall inform the individual of how he or she may pay the
delinquent amount or make satisfactory alternative payment arrangements.

SECTION 1730. 49.857 (3) (ac) 1. of the statutes is amended to read:

49.857 (3) (ac) 1. If an individual timely requests a hearing under par. (a) 5.,
the court shall schedule a hearing within 10 business days after receiving the
request. A circuit court commissioner may conduct the hearing. The only issues at
the hearing shall be whether the individual is delinquent in making court−ordered
payments of support and whether any alternative payment arrangement offered by
the department of workforce development or the county child support agency is
reasonable.

SECTION 1731. 49.857 (3) (ac) 2. of the statutes is amended to read:

49.857 (3) (ac) 2. If at a hearing under subd. 1. the court or circuit court
commissioner finds that the individual does not owe delinquent support, or if within
20 business days after receiving a notice under par. (a) the individual pays the
delinquent amount in full or makes satisfactory alternative payment arrangements,
the department of workforce development may not place the individual’s name on a
certification list.

SECTION 1732. 49.857 (3) (ac) 3. of the statutes is amended to read:

49.857 (3) (ac) 3. If at a hearing under subd. 1. the court or circuit court
commissioner makes a written determination that alternative payment
arrangements proposed by the department of workforce development or a child
support agency are not reasonable, the court or circuit court commissioner may order
for the individual an alternative payment arrangement. If the court or circuit court
commissioner orders an alternative payment arrangement, the department of
workforce development may not place the individual's name on a certification list.

**SECTION 1733.** 49.857 (3) (am) (intro.) of the statutes is amended to read:

49.857 (3) (am) (intro.) If an individual, after receiving notice under par. (a),
does not timely request a hearing or pay the delinquent amount of support or make
satisfactory alternative payment arrangements, the department of workforce
development shall place the individual's name on a certification list. Thereafter, the
department of workforce development or a child support agency shall provide a 2nd
notice to the individual by regular mail that informs the individual of all of the
following:

**SECTION 1734.** 49.857 (3) (am) 4. of the statutes is amended to read:

49.857 (3) (am) 4. That the certification will not be made if the individual pays
the delinquent amount in full or makes satisfactory alternative payment
arrangements with the department of workforce development or a child support
agency. The notice shall inform the individual of how he or she may pay the
delinquent amount or make satisfactory alternative payment arrangements.

**SECTION 1735.** 49.857 (3) (ar) 1. of the statutes is amended to read:

49.857 (3) (ar) 1. If an individual timely requests a hearing under par. (am) 5.,
the court shall schedule a hearing within 10 business days after receiving the
request. A circuit court commissioner may conduct the hearing. The only issues at
the hearing shall be whether the individual is delinquent in making court-ordered
payments of support and whether any alternative payment arrangement offered by
the department of workforce development or the county child support agency is
reasonable.
SECTION 1736. 49.857 (3) (ar) 2. of the statutes is amended to read:

49.857 (3) (ar) 2. If at a hearing under subd. 1. the court or circuit court commissioner finds that the individual does not owe delinquent support, or if within 20 business days after receiving a notice under par. (am) the individual pays the delinquent amount in full or makes satisfactory alternative payment arrangements, the department of workforce development shall remove the individual's name from the certification list.

SECTION 1737. 49.857 (3) (ar) 3. of the statutes is amended to read:

49.857 (3) (ar) 3. If at a hearing under subd. 1. the court or circuit court commissioner makes a written determination that alternative payment arrangements proposed by the department of workforce development or a child support agency are not reasonable, the court or circuit court commissioner may order for the individual an alternative payment arrangement. If the court or circuit court commissioner orders an alternative payment arrangement, the department of workforce development may not place the individual's name on a certification list.

SECTION 1738. 49.857 (3) (b) (intro.) of the statutes is amended to read:

49.857 (3) (b) (intro.) Any subpoena or warrant shall include notice to the individual of the effect that a failure to comply with the subpoena or warrant may have on any license that the individual holds or for which the individual applies. If the individual fails to comply, before the department of workforce development certifies to a licensing authority or a licensing agency under the system established under sub. (2) that an individual has failed to comply with a subpoena or warrant, the department of workforce development or a child support agency shall provide notice to the individual by regular mail. The notice shall inform the individual of all of the following:
SECTION 1739. 49.857 (3) (bm) of the statutes is amended to read:

49.857 (3) (bm) If an individual, after receiving notice under par. (b), does not satisfy the requirements under the subpoena or warrant, the department of workforce development shall place the individual’s name on a certification list.

SECTION 1740. 49.857 (3) (c) (intro.) of the statutes is amended to read:

49.857 (3) (c) (intro.) If the department of workforce development children and families provides a certification list to a licensing authority, a licensing agency or, with respect to a credential granted by a credentialing board, the department of regulation and licensing, upon receipt of the list the licensing authority if the licensing authority agrees, the licensing agency or, with respect to a credential granted by a credentialing board, the department of regulation and licensing shall do all of the following:

SECTION 1741. 49.857 (3) (d) 1. of the statutes is amended to read:

49.857 (3) (d) 1. Subject to sub. (2) (d), if an individual who, on the basis of delinquent support, is denied a license or whose license, on the basis of delinquent support, is restricted, limited, suspended, or refused renewal or revalidation under a memorandum of understanding entered into under sub. (2) (b) pays the delinquent amount of support in full or makes satisfactory alternative payment arrangements, the department of workforce development children and families shall immediately notify the licensing authority or licensing agency to issue or reinstate the individual’s license as provided in the memorandum of understanding. If the individual held or applied for a credential granted by a credentialing board, the department of regulation and licensing shall, upon notice by the department of workforce development children and families, notify the credentialing board to grant or reinstate the individual’s credential.
SECTION 1742. 49.857 (3) (d) 2. of the statutes is amended to read:

49.857 (3) (d) 2. Subject to sub. (2) (d), if an individual who, on the basis of a failure to comply with a subpoena or warrant, is denied a license or whose license, on the basis of a failure to comply with a subpoena or warrant, is restricted, limited, suspended, or refused renewal or revalidation under a memorandum of understanding entered into under sub. (2) (b) satisfies the requirements under the subpoena or warrant, the department of workforce development children and families shall immediately notify the licensing authority or licensing agency to issue or reinstate the individual’s license as provided in the memorandum of understanding. If the individual held or applied for a credential granted by a credentialing board, the department of regulation and licensing shall, upon notice by the department of workforce development children and families, notify the credentialing board to grant or reinstate the individual’s credential.

SECTION 1743. 49.857 (4) of the statutes is amended to read:

49.857 (4) Each licensing agency shall enter into a memorandum of understanding with the department of workforce development children and families under sub. (2) (b) and shall cooperate with the department of workforce development children and families in its administration of s. 49.22. The department of regulation and licensing shall enter into a memorandum of understanding with the department of workforce development children and families on behalf of a credentialing board with respect to a credential granted by the credentialing board.

SECTION 1744. 49.858 (1) of the statutes is renumbered 49.858 (1) (intro.) and amended to read:

49.858 (1) (intro.) In this section, “support”:

(b) “Support” has the meaning given in s. 49.857 (1) (g).
**SECTION 1745.** 49.858 (1) (a) of the statutes is created to read:

49.858 (1) (a) “Department” means the department of children and families.

**SECTION 1746.** 49.858 (2) (intro.) of the statutes is amended to read:

49.858 (2) RULES. (intro.) For the procedures under this subchapter for the administrative enforcement of support obligations, the department of workforce development shall promulgate rules related to all of the following:

**SECTION 1747.** 49.858 (3) of the statutes is amended to read:

49.858 (3) REVIEW OF CIRCUIT COURT COMMISSIONER DECISIONS. If a circuit court commissioner conducts a hearing in any administrative support enforcement proceeding under s. 49.852, 49.856 or 49.857, the department of workforce development or the obligor may, within 15 business days after the date that the circuit court commissioner makes his or her decision, request review of the decision by the court with jurisdiction over the matter.

**SECTION 1748.** 49.86 of the statutes is renumbered 49.86 (2) and amended to read:

49.86 (2) Withdrawal or disbursement of moneys deposited in a public depository, as defined in s. 34.01 (5), to the credit of the department of workforce development or any of its divisions or agencies shall be by check, share draft, or other draft signed by the secretary of workforce development or by one or more persons in the department of workforce development designated by written authorization of the secretary of workforce development. Such checks, share drafts, and other drafts shall be signed personally or by use of a mechanical device adopted by the secretary of workforce development or his or her designees for affixing a facsimile signature. Any public depository shall be fully warranted and protected in making payment on any check, share draft, or other draft bearing such facsimile signature.
notwithstanding that the facsimile may have been placed thereon without the
authority of the secretary of workforce development or his or her designees.

SECTION 1749. 49.86 (1) of the statutes is created to read:

49.86 (1) In this section:

(a) “Department” means the department of children and families.

(b) “Secretary” means the secretary of children and families.

SECTION 1750. 49.89 (2) of the statutes is amended to read:

49.89 (2) Subrogation. The department of health and family services, the
department of workforce development children and families, a county, or an elected
tribal governing body that provides any public assistance under this chapter or
under s. 253.05 as a result of the occurrence of an injury, sickness, or death that
creates a claim or cause of action, whether in tort or contract, on the part of a public
assistance recipient or beneficiary or the estate of a recipient or beneficiary against
a 3rd party, including an insurer, is subrogated to the rights of the recipient,
beneficiary or estate and may make a claim or maintain an action or intervene in a
claim or action by the recipient, beneficiary, or estate against the 3rd party.
Subrogation under this subsection because of the provision of medical assistance
under subch. IV constitutes a lien, equal to the amount of the medical assistance
provided as a result of the injury, sickness, or death that gave rise to the claim. The
lien is on any payment resulting from a judgment or settlement that may be due the
obligor. A lien under this subsection continues until it is released and discharged by
the department of health and family services.

SECTION 1751. 49.89 (6) of the statutes is amended to read:

49.89 (6) Departments’ duties and powers. The department of health and
family services and the department of workforce development children and families
shall enforce their rights under this section and may contract for the recovery of any
claim or right of indemnity arising under this section.

**SECTION 1751.** 49.89 (7) (b) of the statutes is amended to read:

49.89 (7) (b) The incentive payment shall be an amount equal to 15% of the
amount recovered because of benefits paid under s. 49.46, 49.465, 49.468 or 49.47,
or 49.471. The incentive payment shall be taken from the federal share of the sum
recovered as provided under 42 CFR 433.153 and 433.154.

**SECTION 1752.** 49.89 (7) (d) 2. of the statutes is amended to read:

49.89 (7) (d) 2. Any county or elected tribal governing body that has made a
recovery under this section for which it is eligible to receive an incentive payment
under par. (c) shall report such recovery to the department of workforce development
children and families within 30 days after the end of the month in which the recovery
is made in a manner specified by the department of workforce development children
and families.

**SECTION 1756.** 49.90 (2) of the statutes is amended to read:

49.90 (2) Upon failure of these relatives to provide maintenance the authorities
or board shall submit to the corporation counsel a report of its findings. Upon receipt
of the report the corporation counsel shall, within 60 days, apply to the circuit court
for the county in which the dependent person under sub. (1) (a) 1. or the child of a
dependent person under sub. (1) (a) 2. resides for an order to compel the
maintenance. Upon such an application the corporation counsel shall make a
written report to the county department under s. 46.215, 46.22, or 46.23, with a copy
to the chairperson of the county board of supervisors in a county with a single-county
department or the county boards of supervisors in counties with a multicounty
department, and to the department of health and family services or the department of workforce development children and families, whichever is appropriate.

**SECTION 1757.** 49.90 (2g) of the statutes is amended to read:

49.90 (2g) In addition to the remedy specified in sub. (2), upon failure of a grandparent to provide maintenance under sub. (1) (a) 2., another grandparent who is or may be required to provide maintenance under sub. (1) (a) 2., a child of a dependent minor or the child’s parent may apply to the circuit court for the county in which the child resides for an order to compel the provision of maintenance. A county department under s. 46.215, 46.22, or 46.23, a county child support agency under s. 59.53 (5), or the department of workforce development children and families may initiate an action to obtain maintenance of the child by the child’s grandparent under sub. (1) (a) 2., regardless of whether the child receives public assistance.

**SECTION 1758.** 49.90 (4) of the statutes is amended to read:

49.90 (4) The circuit court shall in a summary way hear the allegations and proofs of the parties and by order require maintenance from these relatives, if they have sufficient ability, considering their own future maintenance and making reasonable allowance for the protection of the property and investments from which they derive their living and their care and protection in old age, in the following order: First the husband or wife; then the father and the mother; and then the grandparents in the instances in which sub. (1) (a) 2. applies. The order shall specify a sum which will be sufficient for the support of the dependent person under sub. (1) (a) 1. or the maintenance of a child of a dependent person under sub. (1) (a) 2., to be paid weekly or monthly, during a period fixed by the order or until the further order of the court. If the court is satisfied that any such relative is unable wholly to maintain the dependent person or the child, but is able to contribute to the person’s
support or the child's maintenance, the court may direct 2 or more of the relatives to maintain the person or the child and prescribe the proportion each shall contribute. If the court is satisfied that these relatives are unable together wholly to maintain the dependent person or the child, but are able to contribute to the person's support or the child's maintenance, the court shall direct a sum to be paid weekly or monthly by each relative in proportion to ability. Contributions directed by court order, if for less than full support, shall be paid to the department of health and family services or the department of children and families, whichever is appropriate, and distributed as required by state and federal law. An order under this subsection that relates to maintenance required under sub. (1) (a) 2. shall specifically assign responsibility for and direct the manner of payment of the child's health care expenses, subject to the limitations under subs. (1) (a) 2. and (11). Upon application of any party affected by the order and upon like notice and procedure, the court may modify such an order. Obedience to such an order may be enforced by proceedings for contempt.

**SECTION 1759.** 50.01 (1g) (b) of the statutes is amended to read:

50.01 (1g) (b) A facility or private home that provides care, treatment, and services only for victims of domestic abuse, as defined in s. 46.95 49.165 (1) (a), and their children.

**SECTION 1760.** 50.02 (2) (d) of the statutes is renumbered 50.02 (2) (d) (intro.) and amended to read:

50.02 (2) (d) (intro.) The department shall promulgate rules that prescribe the time periods and the methods of providing information specified in ss. 50.033 (2r) and (2s), 50.034 (5m) and (5n), 50.035 (4m) and (4n) and 50.04 (2g) (a) and (2h) (a), all of the following:
**SECTION 1761.** 50.02 (2) (d) 1. of the statutes is created to read:

50.02 (2) (d) 1. The method by which community-based residential facilities shall make referrals to resource centers or county departments under s. 50.035 (4n) and the method by which residential care apartment complexes shall make referrals to resource centers under s. 50.034 (5n).

**SECTION 1762.** 50.02 (2) (d) 2. of the statutes is created to read:

50.02 (2) (d) 2. The time period for nursing homes to provide information to prospective residents under s. 50.04 (2g) (a) and the time period and method by which nursing homes shall make referrals to resource centers under s. 50.04 (2h) (a).

**SECTION 1765.** 50.033 (2r) of the statutes is repealed.

**SECTION 1766.** 50.033 (2s) of the statutes is repealed.

**SECTION 1767.** 50.033 (2t) of the statutes is repealed.

**SECTION 1769.** 50.034 (5m) of the statutes is amended to read:

50.034 (5m) **Provision of Information Required.** Subject to sub. (5p), when a residential care apartment complex **shall, within the time period after inquiry by first provides written material regarding the residential care apartment complex to a prospective resident that is prescribed by the department by rule, inform, the residential care apartment complex shall also provide** the prospective resident of information specified by the department concerning the services of a resource center under s. 46.283, the family care benefit under s. 46.286, and the availability of a functional screening and a financial screen and cost-sharing screening to determine the prospective resident’s eligibility for the family care benefit under s. 46.286 (1).

**SECTION 1770.** 50.034 (5n) (intro.) of the statutes is amended to read:

50.034 (5n) **Required Referral.** (intro.) Subject to sub. (5p), when a residential care apartment complex **shall, within the time period prescribed by the department**
by rule, refer to a resource center under s. 46.283 a person who is seeking admission, first provides written material regarding the residential care apartment complex to a prospective resident who is at least 65 years of age or has developmental disability or a physical disability and whose disability or condition is expected to last at least 90 days, the residential care apartment complex shall refer the prospective resident to a resource center under s. 46.283, unless any of the following applies:

**SECTION 1770.** 50.034 (5n) (a) of the statutes is amended to read:

50.034 (5n) (a) For a person who has received a screen for whom a screening for functional eligibility under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral under this subsection need not include performance of an additional functional screen screening under s. 46.283 (4) (g).

**SECTION 1771.** 50.034 (5n) (d) of the statutes is amended to read:

50.034 (5n) (d) For a person who seeks admission or is about to be admitted on a private pay basis and who waives the requirement for a financial screen and cost-sharing screening under s. 46.283 (4) (g), the referral under this subsection may not include performance of a financial screen and cost-sharing screening under s. 46.283 (4) (g), unless the person is expected to become eligible for medical assistance within 6 months.

**SECTION 1772.** 50.035 (4m) of the statutes is amended to read:

50.035 (4m) Provision of information required. Subject to sub. (4p), when a community-based residential facility shall, within the time period after inquiry by first provides written material regarding the community-based residential facility to a prospective resident that is prescribed by the department by rule, inform, the community-based residential facility shall also provide the prospective resident of information specified by the department concerning the services of a resource center
under s. 46.283, the family care benefit under s. 46.286, and the availability of a functional screening and a financial screen and cost-sharing screening to determine the prospective resident’s eligibility for the family care benefit under s. 46.286 (1).

**SECTION 1774.** 50.035 (4n) (intro.) of the statutes is amended to read:

50.035 (4n) **REQUIRED REFERRAL.** (intro.) Subject to sub. (4p), When a community-based residential facility shall, within the time period prescribed by the department by rule, refer to a resource center under s. 46.283 a person who is seeking admission, first provides written information regarding the community-based residential facility to a prospective resident who is at least 65 years of age or has developmental disability or a physical disability and whose disability or condition is expected to last at least 90 days, the community-based residential facility shall refer the individual to a resource center under s. 46.283 or, if the secretary has not certified under s. 46.281 (3) that a resource center is available in the area of the community-based residential facility to serve individuals in an eligibility group to which the prospective resident belongs, to the county department that administers a program under ss. 46.27 or 46.277, unless any of the following applies:

**SECTION 1775.** 50.035 (4n) (a) of the statutes is amended to read:

50.035 (4n) (a) For a person who has received a screen for whom a screening for functional eligibility under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral under this subsection need not include performance of an additional functional screen screening under s. 46.283 (4) (g).

**SECTION 1776.** 50.035 (4n) (d) of the statutes is amended to read:

50.035 (4n) (d) For a person who seeks admission or is about to be admitted on a private pay basis and who waives the requirement for a financial screen and cost-sharing screening under s. 46.283 (4) (g), the referral under this subsection may
not include performance of a financial screen and cost-sharing screening under s. 46.283 (4) (g), unless the person is expected to become eligible for medical assistance within 6 months.

**SECTION 1777.** 50.035 (4p) of the statutes is amended to read:

50.035 **(4p) APPlicABILITY.** Subsections Subsection (4m) and (4n) apply only if the secretary has certified under s. 46.281 (3) that a resource center is available for the community-based residential facility and for specified groups of eligible individuals that include those persons seeking admission to or the residents of the community-based residential facility.

**SECTION 1779.** 50.035 (7) of the statutes is repealed.

**SECTION 1780.** 50.035 (9) of the statutes is repealed.

**SECTION 1782.** 50.04 (2g) (a) of the statutes is amended to read:

50.04 **(2g) (a) Subject to sub. (2i), a nursing home shall, within the time period after inquiry by a prospective resident that is prescribed by the department by rule, inform the prospective resident of the services of a resource center under s. 46.283, the family care benefit under s. 46.286, and the availability of a functional screening and a financial screen and cost-sharing screening to determine the prospective resident’s eligibility for the family care benefit under s. 46.286 (1).**

**SECTION 1783.** 50.04 (2h) (a) 1. of the statutes is amended to read:

50.04 **(2h) (a) 1. For a person who has received a screen for whom a screening for functional eligibility under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral under this paragraph need not include performance of an additional functional screen screening under s. 46.283 (4) (g).**

**SECTION 1784.** 50.04 (2h) (a) 4. of the statutes is amended to read:
50.04 (2h) (a) 4. For a person who seeks admission or is about to be admitted on a private pay basis and who waives the requirement for a financial screen and cost-sharing screening under s. 46.283 (4) (g), the referral under this subsection may not include performance of a financial screen and cost-sharing screening under s. 46.283 (4) (g), unless the person is expected to become eligible for medical assistance within 6 months.

**SECTION 1792.** 50.06 (7) of the statutes is amended to read:

50.06 (7) An individual who consents to an admission under this section may request that an assessment be conducted for the incapacitated individual under the long-term support community options program under s. 46.27 (6) or, if the secretary has certified under s. 46.281 (3) that a resource center is available for the individual, a functional screening and a financial screen and cost-sharing screening to determine eligibility for the family care benefit under s. 46.286 (1). If admission is sought on behalf of the incapacitated individual or if the incapacitated individual is about to be admitted on a private pay basis, the individual who consents to the admission may waive the requirement for a financial screen and cost-sharing screening under s. 46.283 (4) (g), unless the incapacitated individual is expected to become eligible for medical assistance within 6 months.

**SECTION 1799m.** 50.135 (3) of the statutes is amended to read:

50.135 (3) EXEMPTION. The inpatient health care facilities under ss. 45.50, 48.62, 51.05, 51.06, 233.40, 233.41, 233.42 and 252.10 are exempt from this section.

**SECTION 1800.** 50.14 (2) (intro.) of the statutes is amended to read:

50.14 (2) (intro.) For the privilege of doing business in this state, there is imposed on all licensed beds of a facility an assessment that may not exceed $445 per calendar month per licensed bed of an intermediate care facility for the mentally
retarded and an assessment that may not exceed $75 in the following amount per
calendar month per licensed bed of a nursing home, the facility:

(2g) The assessment moneys collected under this section shall be deposited in
the general fund, except amounts in excess of $13,800,000 shall be deposited in the
Medical Assistance trust fund.

(2r) In determining the number of licensed beds, all of the following apply:

SECTION 1801g. 50.14 (2) (a) of the statutes is renumbered 50.14 (2r) (a).

SECTION 1802. 50.14 (2) (am) of the statutes is created to read:

50.14 (2) (am) For nursing homes, an amount not to exceed $127.

SECTION 1803m. 50.14 (2) (b) of the statutes is renumbered 50.14 (2r) (b).

SECTION 1804. 50.14 (2) (bm) of the statutes is created to read:

50.14 (2) (bm) For intermediate care facilities for the mentally retarded, an
amount calculated by multiplying the projected annual gross revenues of all
intermediate care facilities for the mentally retarded in this state by 0.055, dividing
the product by the number of licensed beds of intermediate care facilities in this state
and dividing the quotient by 12.

SECTION 1805. 50.14 (2m) of the statutes is created to read:

50.14 (2m) Prior to each state fiscal year, the department shall calculate the
amount of the assessment under sub. (2) (bm) that shall apply during the fiscal year.
The department may reduce the assessment amount during a state fiscal year to
avoid collecting for the fiscal year an amount in bed assessment receipts under sub.
(2) (bm) that exceeds 5.5 percent of the aggregate gross revenues for intermediate
care facilities for the mentally retarded for the fiscal year.

SECTION 1806. 50.36 (2) (c) of the statutes is repealed.

SECTION 1807d. 50.375 of the statutes is created to read:
50.375 Assessment. (1) Except as provided in subs. (2) and (7), for the privilege of doing business in this state, there is imposed on each hospital an annual assessment, based on the hospital's gross patient revenue that each hospital shall pay quarterly before December 1, March 1, June 1, and September 1 of each year, beginning with the payment due before December 1, 2007, and ending with the payment due before September 1, 2009. The assessments shall be deposited into the hospital assessment fund.

(2) At the discretion of the department, a hospital that is unable timely to make a payment by a date specified under sub. (1) may be allowed to make a delayed payment. A determination by the department that a hospital may not make a delayed payment under this subsection is final and is not subject to review under ch. 227.

(3) The amount of each hospital’s assessment shall be based on the information that shall be provided to the department under s. 153.46 (5) or shall be based on any other source that is approved in the state plan for services under 42 USC 1396.

(4) The department shall verify the amount of each hospital’s gross patient revenue and shall determine the amount of the assessment owed by each hospital based on a uniform rate that is applicable to total gross patient revenue that the department estimates will yield the amounts specified in the appropriation schedule under s. 20.005 (3) for the appropriation accounts under s. 20.435 (4) (xc) and (xd).

(5) The department shall levy, enforce, and collect the assessments under this section and shall develop and distribute forms necessary for these purposes.

(6) If the department determines that any portion of the revenue needed to provide Medical Assistance payment increases for inpatient and outpatient hospital services as fee for service or through health maintenance organizations is not eligible
for federal financial participation, the department will refund that amount of
revenue to hospitals in proportion to each hospital’s payment of the assessment.

(7) This section does not apply to a critical access hospital, as defined in s. 50.33
(1g), or to an institution for mental diseases, as defined in s. 46.011 (1m).

(8) Sections 77.59 (1) to (5), (6) (intro.), (a), and (c), and (7) to (10), 77.60 (1) to
(7), (9), and (10), 77.61 (9) and (12) to (14), and 77.62, as they apply to the taxes under
subch. III of ch. 77, apply to the assessment under this section, except that the
amount of any assessment collected under sub. (1) shall be deposited in the hospital
assessment fund.

SECTION 1808. 50.38 of the statutes is repealed.

SECTION 1809. 50.49 (6m) (am) of the statutes is created to read:

50.49 (6m) (am) An entity with which a care management organization, as
defined in s. 46.2805 (1), contracts for care management services under s. 46.284 (4)
(d), for purposes of providing the contracted services.

SECTION 1810. 50.498 (1m) of the statutes is amended to read:

50.498 (1m) If an individual who applies for a certificate of approval, license
or provisional license under sub. (1) does not have a social security number, the
individual, as a condition of obtaining the certificate of approval, license or
provisional license, shall submit a statement made or subscribed under oath or
affirmation to the department that the applicant does not have a social security
number. The form of the statement shall be prescribed by the department of
workforce development children and families. A certificate of approval, license or
provisional license issued in reliance upon a false statement submitted under this
subsection is invalid.

SECTION 1811. 51.032 (1m) of the statutes is amended to read:
51.032 (1m) If an individual who applies for a certification or approval under sub. (1) does not have a social security number, the individual, as a condition of obtaining the certification or approval, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A certification or approval issued in reliance upon a false statement submitted under this subsection is invalid.

SECTION 1812. 51.038 of the statutes is amended to read:

51.038 Outpatient mental health clinic certification. Except as provided in s. 51.032, if a facility that provides mental health services on an outpatient basis holds current accreditation from the council on accreditation of services for families and children, the department may accept evidence of this accreditation as equivalent to the standards established by the department, for the purpose of certifying the facility for the receipt of funds for services provided as a benefit to a medical assistance recipient under s. 49.46 (2) (b) 6. f. or 49.471 (11) (k), a community aids funding recipient under s. 51.423 (2) or as mandated coverage under s. 632.89.

SECTION 1813. 51.04 of the statutes is amended to read:

51.04 Treatment facility certification. Except as provided in s. 51.032, any treatment facility may apply to the department for certification of the facility for the receipt of funds for services provided as a benefit to a medical assistance recipient under s. 49.46 (2) (b) 6. f. or 49.471 (11) (k) or to a community aids funding recipient under s. 51.423 (2) or provided as mandated coverage under s. 632.89. The department shall annually charge a fee for each certification.

SECTION 1814. 51.15 (9) of the statutes is amended to read:
51.15 (9) NOTICE OF RIGHTS. At the time of detention the individual shall be informed by the director of the facility or such person’s designee, both orally and in writing, of his or her right to contact an attorney and a member of his or her immediate family, the right to have an attorney provided at public expense, as provided under s. 967.06 and ch. 977, if the individual is a child or is indigent, 51.60, and the right to remain silent and that the individual’s statements may be used as a basis for commitment. The individual shall also be provided with a copy of the statement of emergency detention.

SECTION 1815. 51.20 (3) of the statutes is amended to read:

51.20 (3) LEGAL COUNSEL. At the time of the filing of the petition the court shall assure that the subject individual is represented by adversary counsel. If the individual claims or appears to be indigent, the court shall refer the person to the authority for indigency determinations specified under s. 977.07 (1). If the individual is a child, the court shall refer that child by referring the individual to the state public defender, who shall appoint counsel for the child individual without a determination of indigency, as provided in s. 48.23 (4) 51.60.

SECTION 1816. 51.20 (18) (c) of the statutes is amended to read:

51.20 (18) (c) Expenses of the proceedings from the presentation of the statement of emergency detention or petition for commitment to the conclusion of the proceeding shall be allowed by the court and paid by the county from which the subject individual is detained, committed, or released, in the manner that the expenses of a criminal prosecution are paid, as provided in s. 59.64 (1). Payment of attorney fees for appointed attorneys in the case of children and indigents shall be in accordance with ch. 977.

SECTION 1817. 51.30 (4) (b) 27. of the statutes is amended to read:
51.30 (4) (b) 27. For the purpose of entering information concerning the subject individual into the statewide automated child welfare information system established under s. 46.03 48.47 (7g).

SECTION 1818. 51.35 (1) (e) 1. of the statutes is amended to read:

51.35 (1) (e) 1. Whenever any transfer between different treatment facilities results in a greater restriction of personal freedom for the patient and whenever the patient is transferred from outpatient to inpatient status, the department or the county department specified under par. (a) shall inform the patient both orally and in writing of his or her right to contact an attorney and a member of his or her immediate family, the right to have counsel provided at public expense, as provided under s. 967.06 and ch. 977, if the patient is a child or is indigent 51.60, and the right to petition a court in the county in which the patient is located or the committing court for a review of the transfer.

SECTION 1819. 51.35 (1) (e) 2. c. of the statutes is amended to read:

51.35 (1) (e) 2. c. The patient's right to have counsel provided at public expense, as provided under s. 967.06 and ch. 977, if the patient is a child or is indigent 51.60.

SECTION 1820. 51.42 (3) (as) 1. of the statutes is amended to read:

51.42 (3) (as) 1. A county department of community programs shall authorize all care of any patient in a state, local, or private facility under a contractual agreement between the county department of community programs and the facility, unless the county department of community programs governs the facility. The need for inpatient care shall be determined by the program director or designee in consultation with and upon the recommendation of a licensed physician trained in psychiatry and employed by the county department of community programs or its contract agency. In cases of emergency, a facility under contract with any county
department of community programs shall charge the county department of community programs having jurisdiction in the county where the patient is found. The county department of community programs shall reimburse the facility for the actual cost of all authorized care and services less applicable collections under s. 46.036, unless the department of health and family services determines that a charge is administratively infeasible, or unless the department of health and family services, after individual review, determines that the charge is not attributable to the cost of basic care and services. Except as provided in subd. 1m., a county department of community programs may not reimburse any state institution or receive credit for collections for care received therein in a state institution by nonresidents of this state, interstate compact clients, transfers under s. 51.35 (3), and transfers from Wisconsin state prisons under s. 51.37 (5) (a), commitments under s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17 or 975.06 or admissions under s. 975.17, 1977 stats., or children placed in the guardianship of the department of health and family services children and families under s. 48.427 or 48.43 or under the supervision of the department of corrections under s. 938.183 or 938.355. The exclusionary provisions of s. 46.03 (18) do not apply to direct and indirect costs which are attributable to care and treatment of the client.

Section 1821. 51.42 (3) (e) of the statutes is amended to read:

51.42 (3) (e) Exchange of information. Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of a county department of community programs or tribal agency acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of community programs or tribal agency, with a
resource center, a care management organization, or a family long-term care
district, or with any person providing services to the client under a purchase of
services contract with the county department of community programs or tribal
agency or with a resource center, care management organization, or family
long-term care district, if necessary to enable an employee or service provider to
perform his or her duties, or to enable the county department of community
programs or tribal agency to coordinate the delivery of services to the client. Any
agency releasing information under this paragraph shall document that a request
was received and what information was provided.

**SECTION 1821m.** 51.423 (2) of the statutes is amended to read:

51.423 (2) From the appropriations under s. 20.435 (7) (b) and (o), the
department shall distribute the funding for services provided or purchased by county
departments under s. 46.23, 51.42, or 51.437 to such county departments as provided
under s. 46.40. County matching funds are required for the distributions under s.
46.40 (2) and (9) (b). Each county’s required match for the distributions under s.
46.40 (2) for a year equals 9.89% of the total of the county’s distributions under s.
46.40 (2) for that year for which matching funds are required plus the amount the
county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile
delinquency-related services from its distribution for 1987. Each county’s required
match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that
county’s amounts described in s. 46.40 (9) (a) (ar) (intro.) for that year. Matching
funds may be from county tax levies, federal and state revenue sharing funds, or
private donations to the counties that meet the requirements specified in sub. (5).
Private donations may not exceed 25% of the total county match. If the county match
is less than the amount required to generate the full amount of state and federal
funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

**SECTION 1822.** 51.437 (4r) (b) of the statutes is amended to read:

51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of a county department of developmental disabilities services or tribal agency acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of developmental disabilities services or tribal agency, with a resource center, a care management organization, or a family long-term care district, or with any person providing services to the client under a purchase of services contract with the county department of developmental disabilities services or tribal agency or with a resource center, a care management organization, or a family long-term care district, if necessary to enable an employee or service provider to perform his or her duties, or to enable the county department of developmental disabilities services or tribal agency to coordinate the delivery of services to the client. Any agency releasing information under this paragraph shall document that a request was received and what information was provided.

**SECTION 1823.** 51.437 (4rm) (a) of the statutes is amended to read:

51.437 (4rm) (a) A county department of developmental disabilities services shall authorize all care of any patient in a state, local, or private facility under a contractual agreement between the county department of developmental disabilities services and the facility, unless the county department of developmental disabilities services governs the facility. The need for inpatient care shall be determined by the
program director or designee in consultation with and upon the recommendation of
a licensed physician trained in psychiatry and employed by the county department
of developmental disabilities services or its contract agency prior to the admission
of a patient to the facility except in the case of emergency services. In cases of
emergency, a facility under contract with any county department of developmental
disabilities services shall charge the county department of developmental
disabilities services having jurisdiction in the county where the individual receiving
care is found. The county department of developmental disabilities services shall
reimburse the facility, except as provided under par. (c), for the actual cost of all
authorized care and services less applicable collections under s. 46.036, unless the
department of health and family services determines that a charge is
administratively infeasible, or unless the department of health and family services,
after individual review, determines that the charge is not attributable to the cost of
basic care and services. The exclusionary provisions of s. 46.03 (18) do not apply to
direct and indirect costs which are attributable to care and treatment of the client.
County departments of developmental disabilities services may not reimburse any
state institution or receive credit for collections for care received therein in a state
institutions by nonresidents of this state, interstate compact clients, transfers under
s. 51.35 (3) (a), commitments under s. 975.01, 1977 stats., or s. 975.02, 1977 stats.,
or s. 971.14, 971.17 or 975.06, admissions under s. 975.17, 1977 stats., children
placed in the guardianship of the department of health and family services children
and families under s. 48.427 or 48.43 or juveniles under the supervision of the
department of corrections under s. 938.183 or 938.355.

SECTION 1824b. 51.437 (14) (i) of the statutes is created to read:
51.437 (14) (i) Ensure that the matching-funds requirement for the state developmental disabilities councils grant, as received from the federal department of health and human services, is met by reporting to the federal department of health and human services expenditures made for the provision of developmental disabilities services under the basic county allocation distributed under s. 46.40 (2).

SECTION 1827. 51.45 (12) (b) (intro.), 1. and 3. of the statutes are consolidated, renumbered 51.45 (12) (b) and amended to read:

51.45 (12) (b) The physician, spouse, guardian, or a relative of the person sought to be committed, or any other responsible person, may petition a circuit court commissioner or the circuit court of the county in which the person sought to be committed resides or is present for commitment under this subsection. The petition shall: 1. State facts to support the need for emergency treatment; 3. Be and be supported by one or more affidavits which aver with particularity the factual basis for the allegations contained in the petition.

SECTION 1828. 51.45 (12) (b) 2. of the statutes is repealed.

SECTION 1829. 51.45 (12) (c) 2. of the statutes is amended to read:

51.45 (12) (c) 2. Assure that the person sought to be committed is represented by counsel and, if the person claims or appears to be indigent, refer the person to the authority for indigency determinations specified under s. 977.07 (1) or, if the person is a child, refer that child by referring the person to the state public defender, who shall appoint counsel for the child person without a determination of indigency, as provided in s. 48.23 (4) 51.60.

SECTION 1830. 51.45 (13) (b) 2. of the statutes is amended to read:

51.45 (13) (b) 2. Assure that the person is represented by counsel and, if the person claims or appears to be indigent, refer the person to the authority for
indigency determinations specified under s. 977.07 (1) or, if the person is a child, refer that child by referring the person to the state public defender, who shall appoint counsel for the child person without a determination of indigency, as provided in s. 48.23 (4) 51.60. The person shall be represented by counsel at the preliminary hearing under par. (d). The person may, with the approval of the court, waive his or her right to representation by counsel at the full hearing under par. (f).

SECTION 1831. 51.45 (13) (d) of the statutes is amended to read:

51.45 (13) (d) Whenever it is desired to involuntarily commit a person, a preliminary hearing shall be held under this paragraph. The purpose of the preliminary hearing shall be to determine if there is probable cause for believing that the allegations of the petition under par. (a) are true. The court shall assure that the person shall be represented by counsel at the preliminary hearing and, if the person is a child or is indigent, by referring the person to the state public defender, who shall appoint counsel shall timely be appointed at public expense, as provided in s. 967.06 and ch. 977 for the person without a determination of indigency, as provided in s. 51.60. Counsel shall have access to all reports and records, psychiatric and otherwise, which have been made prior to the preliminary hearing. The person shall be present at the preliminary hearing and shall be afforded a meaningful opportunity to be heard. Upon failure to make a finding of probable cause under this paragraph, the court shall dismiss the petition and discharge the person from the custody of the county department.

SECTION 1832. 51.45 (13) (j) of the statutes is amended to read:

51.45 (13) (j) Upon the filing of a petition for recommitment under par. (h), the court shall fix a date for a recommitment hearing within 10 days, and assure that the person sought to be recommitted is represented by counsel and, if the person is
SECTION 1832. indigent, appoint by referring the person to the state public defender, who shall appoint counsel for him or her, unless waived for the person without a determination of indigency, as provided in s. 51.60. The provisions of par. (e) relating to notice and to access to records, names of witnesses, and summaries of their testimony shall apply to recommitment hearings under this paragraph. At the recommitment hearing, the court shall proceed as provided under pars. (f) and (g).

SECTION 1833. 51.45 (16) (c) of the statutes is repealed.

SECTION 1834. 51.60 of the statutes is created to read:

51.60 Appointment of counsel. (1) ADULTS. (a) In any situation under this chapter in which an adult individual has a right to be represented by counsel, the individual shall be referred as soon as practicable to the state public defender, who shall appoint counsel for the individual under s. 977.08 without a determination of indigency.

(b) Except as provided in s. 51.45 (13) (b) 2., par. (a) does not apply if the individual knowingly and voluntarily waives counsel.

(2) MINORS. In any situation under this chapter in which a minor has a right to be represented by counsel, counsel for the minor shall be appointed as provided in s. 48.23 (4).

(3) RETAINED COUNSEL. Notwithstanding subs. (1) and (2), an individual subject to proceedings under this chapter is entitled to retain counsel of his or her own choosing at his or her own expense.

SECTION 1835. 51.605 of the statutes is created to read:

51.605 Reimbursement for counsel provided by the state. (1) INQUIRY. At or after the conclusion of a proceeding under this chapter in which the state public defender has provided counsel for an adult individual, the court may inquire as to
the individual’s ability to reimburse the state for the costs of representation. If the court determines that the individual is able to make reimbursement for all or part of the costs of representation, the court may order the individual to reimburse the state an amount not to exceed the maximum amount established by the public defender board under s. 977.075 (4). Upon the court’s request, the state public defender shall conduct a determination of indigency under s. 977.07 and report the results of the determination to the court.

(2) **PAYMENT.** Reimbursement ordered under this section shall be made to the clerk of courts of the county where the proceedings took place. The clerk of courts shall transmit payments under this section to the county treasurer, who shall deposit 25 percent of the payment amount in the county treasury and transmit the remainder to the secretary of administration. Payments transmitted to the secretary of administration shall be deposited in the general fund and credited to the appropriation account under s. 20.550 (1) (L).

(3) **REPORT.** By January 31st of each year, the clerk of courts for each county shall report to the state public defender the total amount of reimbursements ordered under sub. (1) in the previous calendar year and the total amount of reimbursements paid to the clerk under sub. (2) in the previous year.

**SECTION 1835c.** 51.62 (3m) of the statutes is amended to read:

51.62 (3m) **FUNDING.** From the appropriation under s. 20.435 (7) (md), the department may not distribute more than $75,000 in each fiscal year to the protection and advocacy agency for performance of community mental health protection and advocacy services.

**SECTION 1836.** 55.10 (4) (a) of the statutes is amended to read:
55.10 (4) (a) Counsel; costs. The individual sought to be protected has the right to counsel whether or not the individual is present at the hearing on the petition. The court shall require representation by full legal counsel whenever the petition alleges that the individual is not competent to refuse psychotropic medication under s. 55.14, the individual sought to be protected requested such representation at least 72 hours before the hearing, the guardian ad litem or any other person states that the individual sought to be protected is opposed to the petition, or the court determines that the interests of justice require it. If the individual sought to be protected or any other person on his or her behalf requests but is unable to obtain legal counsel, the court shall appoint refer the individual to the state public defender as provided under s. 55.105 for appointment of legal counsel. Counsel shall be provided at public expense, as provided under s. 967.06 and ch. 977, if the individual is indigent. If the individual sought to be protected is an adult who is indigent, and if counsel was not appointed under s. 977.08, the county in which the hearing is held is liable for any fees due the individual’s legal counsel. If the individual sought to be protected is represented by counsel appointed under s. 977.08 in a proceeding for the appointment of a guardian under s. 880.33 ch. 54, the court shall order the counsel appointed under s. 977.08 to represent under this section the individual sought to be protected.

Section 1837. 55.105 of the statutes is created to read:

55.105 Appointment of counsel. (1) In any situation under this chapter in which an adult individual has a right to be represented by legal counsel, the individual shall be referred as soon as practicable to the state public defender, who shall appoint counsel for the individual under s. 977.08 without a determination of indigency.
(2) In any situation under this chapter in which a minor has a right to be represented by legal counsel, legal counsel for the minor shall be appointed as provided in s. 48.23 (4).

(3) Notwithstanding subs. (1) and (2), an individual subject to proceedings under this chapter is entitled to retain counsel of his or her own choosing at his or her own expense.

SECTION 1838. 55.107 of the statutes is created to read:

55.107 Reimbursement of counsel provided by the state. (1) At or after the conclusion of a proceeding under this chapter in which the state public defender has provided legal counsel for an adult individual, the court may inquire as to the individual's ability to reimburse the state for the costs of representation. If the court determines that the individual is able to make reimbursement for all or part of the costs of representation, the court may order the individual to reimburse the state an amount not to exceed the maximum amount established by the public defender board under s. 977.075 (4). Upon the court’s request, the state public defender shall conduct a determination of indigency under s. 977.07 and report the results of the determination to the court.

(2) Reimbursement ordered under this section shall be made to the clerk of courts of the county where the proceedings took place. The clerk of courts shall transmit payments under this section to the county treasurer, who shall deposit 25 percent of the payment amount in the county treasury and transmit the remainder to the secretary of administration. Payments transmitted to the secretary of administration shall be deposited in the general fund and credited to the appropriation account under s. 20.550 (1) (L).
(3) By January 31st of each year, the clerk of courts for each county shall report to the state public defender the total amount of reimbursements ordered under sub. (1) in the previous calendar year and the total amount of reimbursements paid to the clerk under sub. (2) in the previous year.

SECTION 1839. 55.135 (1) of the statutes is amended to read:

55.135 (1) If, upon a credible report to or, from personal observation of, or a reliable report made by a person who identifies himself or herself to, a sheriff, police officer, fire fighter, guardian, if any, or authorized representative of a county department or an agency with which it contracts under s. 55.02 (2), it appears probable that an individual is so totally incapable of providing for his or her own care or custody as to create a substantial risk of serious physical harm to himself or herself or others as a result of developmental disabilities, degenerative brain disorder, serious and persistent mental illness, or other like incapacities if not immediately placed, the individual under this paragraph who received the credible report or who personally made the observation or to whom the report is made may take into custody and transport the individual to an appropriate medical or protective placement facility. The person making emergency protective placement shall prepare a statement at the time of detention providing specific factual information concerning the person’s observations or reports made to the person and the basis for emergency placement. The statement shall be filed with the director of the facility and with any petition under s. 55.075. At the time of emergency protective placement the individual shall be informed by the director of the facility or the director’s designee, orally and in writing, of his or her right to contact an attorney and a member of his or her immediate family and the right to have an attorney provided at public expense, as provided under s. 967.06 and ch. 977, if the individual is a minor or is
indigent s. 55.105. The director or designee shall also provide the individual with a copy of the statement by the person making emergency protective placement.

**SECTION 1840.** 55.14 (7) of the statutes is amended to read:

55.14 (7) Upon the filing of a petition under this section, the court shall appoint make a referral for appointment of legal counsel as provided under s. 55.105. A petition under this section shall be heard under s. 55.10 (4) (a) s. 55.06 within 30 days after it is filed.

**SECTION 1841.** 55.15 (7) (cm) of the statutes is amended to read:

55.15 (7) (cm) The court shall appoint counsel for refer the individual under protective placement for appointment of legal counsel as provided under s. 55.105 if the individual, the individual’s guardian ad litem, or anyone on the individual’s behalf requests that counsel be appointed for the individual.

**SECTION 1842.** 55.18 (3) (c) (intro.) of the statutes is amended to read:

55.18 (3) (c) (intro.) The court shall order legal counsel for refer an individual and, if the individual appears to be indigent, refer him or her to the authority for indigency determinations under s. 977.07 (1) for appointment of legal counsel under s. 55.105 if any of the following apply:

**SECTION 1843.** 55.19 (3) (c) (intro.) of the statutes is amended to read:

55.19 (3) (c) (intro.) The court shall order legal counsel for refer an individual and, if the individual appears to be indigent, refer him or her to the authority for indigency determinations under s. 977.07 (1) for appointment of legal counsel under s. 55.105 if any of the following apply:

**SECTION 1844.** 59.22 (2) (c) 2. of the statutes is amended to read:

59.22 (2) (c) 2. No action of the board may be contrary to or in derogation of the rules of the department of workforce development children and families under s.
49.78 (4) to (7) relating to employees administering old-age assistance, aid to families with dependent children, aid to the blind, or aid to totally and permanently disabled persons or ss. 63.01 to 63.17.

**SECTION 1845.** 59.40 (2) (p) of the statutes is amended to read:

59.40 (2) (p) Cooperate with the department of workforce development children and families with respect to the child and spousal support and establishment of paternity and medical support liability program under ss. 49.22 and 59.53 (5), and provide that department with any information from court records which it requires to administer that program.

**SECTION 1846.** 59.52 (4) (a) 18. of the statutes is amended to read:

59.52 (4) (a) 18. Case records and other record material of all public assistance that are kept as required under ch. 49, if no payments have been made for at least 3 years and if a face sheet or similar record of each case and a financial record of all payments for each aid account are preserved in accordance with rules adopted by the department of health and family services or by the department of workforce development children and families. If the department of health and family services or the department of workforce development children and families has preserved such case records and other record material on computer disc or tape or similar device, a county may destroy the original records and record material under rules adopted by the department that has preserved those case records or other record material.

**SECTION 1847.** 59.53 (3) of the statutes is amended to read:

59.53 (3) **COMMUNITY ACTION AGENCIES.** The board may appropriate funds for promoting and assisting any community action agency under s. 46.30 49.265.

**SECTION 1848.** 59.53 (5) (a) of the statutes is amended to read:
59.53 (5) (a) The board shall contract with the department of workforce development children and families to implement and administer the child and spousal support and establishment of paternity and the medical support liability programs provided for by Title IV of the federal social security act. The board may designate by board resolution any office, officer, board, department, or agency, except the clerk of circuit court, as the county child support agency. The board or county child support agency shall implement and administer the programs in accordance with the contract with the department of workforce development children and families. The attorneys responsible for support enforcement under sub. (6) (a), circuit court commissioners, and all other county officials shall cooperate with the county and the department of workforce development children and families as necessary to provide the services required under the programs. The county shall charge the fee established by the department of workforce development children and families under s. 49.22 for services provided under this paragraph to persons not receiving benefits under s. 49.148 or 49.155 or assistance under s. 46.261 48.645, 49.19, or 49.47.

SECTION 1849. 59.53 (5) (a) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

59.53 (5) (a) The board shall contract with the department of children and families to implement and administer the child and spousal support and establishment of paternity and the medical support liability programs provided for by Title IV of the federal social security act. The board may designate by board resolution any office, officer, board, department or agency, except the clerk of circuit court, as the county child support agency. The board or county child support agency shall implement and administer the programs in accordance with the contract with
the department of children and families. The attorneys responsible for support enforcement under sub. (6) (a), circuit court commissioners and all other county officials shall cooperate with the county and the department of children and families as necessary to provide the services required under the programs. The county shall charge the fee established by the department of children and families under s. 49.22 for services provided under this paragraph to persons not receiving benefits under s. 49.148 or 49.155 or assistance under s. 48.645, 49.19, or 49.46, 49.465, 49.47, 49.471, or 49.472.

SECTION 1850. 59.53 (5) (b) of the statutes is amended to read:

59.53 (5) (b) The county child support agency under par. (a) shall electronically enter into the statewide data system related to child and spousal support payments that is operated by the department of workforce development children and families the terms of any order made or judgment granted in the circuit court of the county requiring payments under s. 948.22 (7) or ch. 767 or 769 that are directed under s. 767.57 (1) to be paid to the department of workforce development children and families or its designee. The county child support agency shall enter the terms of any such order or judgment within the time required by federal law and shall enter revisions ordered by the court to any order or judgment the terms of which are maintained on the data system.

SECTION 1852. 59.69 (15) (intro.) of the statutes is amended to read:

59.69 (15) Community and other living arrangements. (intro.) For purposes of this section, the location of a community living arrangement for adults, as defined in s. 46.03 (22), a community living arrangement for children, as defined in s. 48.743 (1), a foster home, as defined in s. 48.02 (6), a treatment foster home, as defined in
s. 48.02 (17q), or an adult family home, as defined in s. 50.01 (1), in any municipality, shall be subject to the following criteria:

**SECTION 1853.** 59.69 (15) (c) of the statutes is amended to read:

59.69 (15) (c) Where if the community living arrangement has capacity for 8 or fewer persons being served by the program, meets the criteria listed in pars. (a) and (b), and is licensed, operated, or permitted under the authority of the department of health and family services or the department of children and families, that facility is entitled to locate in any residential zone, without being required to obtain special zoning permission except as provided in par. (i).

**SECTION 1854.** 59.69 (15) (d) of the statutes is amended to read:

59.69 (15) (d) Where if the community living arrangement has capacity for 9 to 15 persons being served by the program, meets the criteria listed in pars. (a) and (b), and is licensed, or operated, or permitted under the authority of the department of health and family services or the department of children and families, the facility is entitled to locate in any residential area except areas zoned exclusively for single-family or 2-family residences, except as provided in par. (i), but is entitled to apply for special zoning permission to locate in those areas. The municipality may grant special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.

**SECTION 1855.** 59.69 (15) (e) of the statutes is amended to read:

59.69 (15) (e) Where if the community living arrangement has capacity for serving 16 or more persons, meets the criteria listed in pars. (a) and (b), and is licensed, operated, or permitted under the authority of the department of health and family services or the department of children and families, that facility is entitled to apply for special zoning permission to locate in areas zoned for residential use. The
municipality may grant special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.

**SECTION 1856.** 59.69 (15) (f) of the statutes is amended to read:

59.69 (15) (f) The department of health and family services shall designate a single subunit within the department to maintain appropriate records indicating the location and the capacity of each community living arrangement for adults, and the information shall be available to the public. The department of children and families shall designate a single subunit within that department to maintain appropriate records indicating the location and the capacity of each community living arrangement for children, and the information shall be available to the public.

**SECTION 1857.** 59.69 (15) (h) of the statutes is amended to read:

59.69 (15) (h) The attorney general shall take action, upon the request of the department of health and family services or the department of children and families, to enforce compliance with this subsection.

**SECTION 1860m.** 60.37 (4) (a) of the statutes is amended to read:

60.37 (4) (a) An elected town officer, other than a town clerk, a town treasurer, or an officer serving in a combined office of town clerk and town treasurer, who also serves as a town employee may be paid an hourly wage for serving as a town employee, not exceeding a total of $5,000 each year. An elected town officer, who is a town clerk, a town treasurer, or an officer serving in a combined office of town clerk and town treasurer, who also serves as a town employee may be paid an hourly wage for serving as a town employee, not exceeding a total of $15,000 each year. Amounts that are paid under this paragraph may be paid in addition to any amount that an individual receives under s. 60.32 or as a volunteer fire fighter, emergency medical
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S ECTION 1861. 60.63 (intro.) of the statutes is amended to read:

60.63 Community and other living arrangements. (intro.) For purposes of s. 60.61, the location of a community living arrangement for adults, as defined in s. 46.03 (22), a community living arrangement for children, as defined in s. 48.743 (1), a foster home, as defined in s. 48.02 (6), a treatment foster home, as defined in s. 48.02 (17q), or an adult family home, as defined in s. 50.01 (1), in any town shall be subject to the following criteria:

S ECTION 1862. 60.63 (4) of the statutes is amended to read:

60.63 (4) If the community living arrangement has capacity for 8 or fewer persons being served by the program, meets the criteria listed in subs. (1) and (2), and is licensed, operated, or permitted under the authority of the department of health and family services or the department of children and families, the community living arrangement is entitled to locate in any residential zone, without being required to obtain special zoning permission except as provided under sub. (10).

S ECTION 1863. 60.63 (5) of the statutes is amended to read:

60.63 (5) In all cases where the community living arrangement has capacity for 9 to 15 persons being served by the program, meets the criteria listed in subs. (1) and (2), and is licensed, operated, or permitted under the authority of the department of health and family services or the department of children and families, that facility is entitled to locate in any residential area except areas zoned exclusively for single-family or 2-family residences except as provided in sub. (10), but is entitled
to apply for special zoning permission to locate in those areas. The town may grant such special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.

**SECTION 1864.** 60.63 (6) of the statutes is amended to read:

60.63 (6) In all cases where the community living arrangement has capacity for serving 16 or more persons, meets the criteria listed in subs. (1) and (2), and is licensed, operated, or permitted under the authority of the department of health and family services or the department of children and families, that facility is entitled to apply for special zoning permission to locate in areas zoned for residential use. The town may grant such special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.

**SECTION 1865.** 60.63 (7) of the statutes is amended to read:

60.63 (7) The department of health and family services shall designate a single subunit within the department to maintain appropriate records indicating the location and the capacity of each community living arrangement for adults, and such information shall be available to the public. The department of children and families shall designate a single subunit within that department to maintain appropriate records indicating the location and the capacity of each community living arrangement for children, and such information shall be available to the public.

**SECTION 1866.** 60.63 (9) of the statutes is amended to read:

60.63 (9) The attorney general shall take all necessary action, upon the request of the department of health and family services or the department of children and families, to enforce compliance with this section.

**SECTION 1868.** 62.23 (7) (i) (intro.) of the statutes is amended to read:
62.23 (7) (i) Community and other living arrangements. (intro.) For purposes of this section, the location of a community living arrangement for adults, as defined in s. 46.03 (22), a community living arrangement for children, as defined in s. 48.743 (1), a foster home, as defined in s. 48.02 (6), a treatment foster home, as defined in s. 48.02 (17q), or an adult family home, as defined in s. 50.01 (1), in any city shall be subject to the following criteria:

SECTION 1869. 62.23 (7) (i) 3. of the statutes is amended to read:

62.23 (7) (i) 3. In all cases where the community living arrangement has capacity for 8 or fewer persons being served by the program, meets the criteria listed in subds. 1. and 2., and is licensed, operated, or permitted under the authority of the department of health and family services or the department of children and families, that facility is entitled to locate in any residential zone, without being required to obtain special zoning permission except as provided in subd. 9.

SECTION 1870. 62.23 (7) (i) 4. of the statutes is amended to read:

62.23 (7) (i) 4. In all cases where the community living arrangement has capacity for 9 to 15 persons being served by the program, meets the criteria listed in subds. 1. and 2., and is licensed, operated, or permitted under the authority of the department of health and family services or the department of children and families, that facility is entitled to locate in any residential area except areas zoned exclusively for single-family or 2-family residences except as provided in subd. 9., but is entitled to apply for special zoning permission to locate in those areas. The city may grant such special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.

SECTION 1871. 62.23 (7) (i) 5. of the statutes is amended to read:
SECTION 1871. 62.23 (7) (i) 5. In all cases where the community living arrangement has capacity for serving 16 or more persons, meets the criteria listed in subds. 1. and 2., and is licensed, operated, or permitted under the authority of the department of health and family services or the department of children and families, that facility is entitled to apply for special zoning permission to locate in areas zoned for residential use. The city may grant such special zoning permission at its discretion and shall make a procedure available to enable such facilities to request such permission.

SECTION 1872. 62.23 (7) (i) 6. of the statutes is amended to read:

62.23 (7) (i) 6. The department of health and family services shall designate a single subunit within the department to maintain appropriate records indicating the location and number of persons served by each community living arrangement for adults, and such information shall be available to the public. The department of children and families shall designate a single subunit within that department to maintain appropriate records indicating the location and number of persons served by each community living arrangement for children, and such information shall be available to the public.

SECTION 1873. 62.23 (7) (i) 8. of the statutes is amended to read:

62.23 (7) (i) 8. The attorney general shall take all necessary action, upon the request of the department of health and family services or the department of children and families, to enforce compliance with this paragraph.

SECTION 1874. 66.0137 (3) of the statutes is amended to read:

66.0137 (3) Health insurance for unemployed persons. Any city, village, town, or county may purchase health or dental insurance for unemployed persons
residing in the city, village, town, or county who are not eligible for medical assistance under s. 49.46, 49.468 or 49.47, or 49.471 (4) (a) or (b).

SECTION 1874c. 66.0137 (4) of the statutes is amended to read:

66.0137 (4) Self-insured health plans. If a city, including a 1st class city, or a village provides health care benefits under its home rule power, or if a town provides health care benefits, to its officers and employees on a self-insured basis, the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4), (5), and (6), 632.895 (9) to (14), and 767.513 (4).

SECTION 1875m. 66.0203 (11) of the statutes is created to read:

66.0203 (11) Town of Ledgeview in Brown County may become a village. (a) The town of Ledgeview, in Brown County, may become a village if the town holds, and approves, an incorporation referendum as described in s. 66.0211 (3). None of the other procedures contained in ss. 66.0201 to 66.0213 need to be fulfilled, and no approval by the department’s incorporation review board under s. 66.0207 is necessary for the town to become a village.

(b) The town of Ledgeview, in Brown County, shall enter into a boundary agreement with the city of De Pere, under s. 66.0307, except that the agreement need not be completed before the town holds a referendum on incorporation, as described in s. 66.0211 (3).

SECTION 1875p. 66.0229 of the statutes is renumbered 66.0229 (1).

SECTION 1875r. 66.0229 (1) (title) of the statutes is created to read:

66.0229 (1) (title) General procedures.

SECTION 1875s. 66.0229 (2) of the statutes is created to read:
66.0229 (2) TOWN OF ROCHESTER IN RACINE COUNTY AND THE VILLAGE OF ROCHESTER MAY CONSOLIDATE. The town of Rochester, in Racine County, and the village of Rochester may consolidate if all of the procedures contained sub. (1) are fulfilled, except that the consolidation ordinance need not be submitted to the circuit court for a determination and the department of administration for a public interest finding, as otherwise required, and the consolidation may be completed without any circuit court determination or department of administration findings.

SECTION 1875t. 66.0230 (1) (a) of the statutes is amended to read:

66.0230 (1) (a) In addition to the method described in s. 66.0229 (1) and subject to subs. (2), (3), and (4) and to s. 66.0307 (7), all or part of a town may consolidate with a contiguous city or village by ordinance passed by a two-thirds vote of all of the members of each board or council and ratified by the electors at a referendum held in each municipality.

SECTION 1876. 66.0301 (1) (a) of the statutes is amended to read:

66.0301 (1) (a) In this section “municipality” means the state or any department or agency thereof, or any city, village, town, county, school district, public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, solid waste management system created under s. 59.70 (2), local exposition district created under subch. II of ch. 229, local professional baseball park district created under subch. III of ch. 229, local professional football stadium district created under subch. IV of ch. 229, a local cultural arts district created under subch. V of ch. 229, family long-term care district under s. 46.2895, water utility district, mosquito control district, municipal electric company, county or city transit commission,
commission created by contract under this section, taxation district, regional
planning commission, or city-county health department.

**SECTION 1877.** 66.0601 (1) (b) of the statutes is amended to read:

66.0601 (1) (b) *Payments for abortions restricted.* No city, village, town, family
long-term care district under s. 46.2895 or agency or subdivision of a city, village or
town may authorize funds for or pay to a physician or surgeon or a hospital, clinic
or other medical facility for the performance of an abortion except those permitted
under and which are performed in accordance with s. 20.927.

**SECTION 1878.** 66.0601 (1) (c) of the statutes is amended to read:

66.0601 (1) (c) *Payments for abortion-related activity restricted.* No city,
village, town, family long-term care district under s. 46.2895 or agency or
subdivision of a city, village or town may authorize payment of funds for a grant,
subsidy or other funding involving a pregnancy program, project or service if s.
20.9275 (2) applies to the pregnancy program, project or service.

**SECTION 1879.** 66.0602 (1) (am) of the statutes is created to read:

66.0602 (1) (am) “Joint fire department” means a joint fire department
organized under s. 61.65 (2) (a) 3. or 62.13 (2m), or a joint fire department organized
by any combination of 2 or more cities, villages, or towns under s. 66.0301 (2).

**SECTION 1880.** 66.0602 (1) (b) of the statutes is amended to read:

66.0602 (1) (b) “Penalized excess” means the levy, in an amount that is at least
$500 over the limit under sub. (2) for the political subdivision, not including any
amount that is excepted from the limit under subs. (3), (4), and (5).

**SECTION 1881.** 66.0602 (1) (d) of the statutes is amended to read:

66.0602 (1) (d) “Valuation factor” means a percentage equal to the greater of
either 4 percent or the percentage change in the political subdivision’s January 1
equalized value due to new construction less improvements removed between the previous year and the current year, but not less than 2. Except as provided in subs. (3), (4), and (5), no political subdivision may increase its levy in any year by a percentage that exceeds the political subdivision's valuation factor. In determining its levy in any year, a city, village, or town shall subtract any tax increment that is calculated under s. 60.85 (1) (L) or 66.1105 (2) (i).

Section 1882. 66.0602 (2) of the statutes is created to read:

66.0602 (2) Levy Limit. Except as provided in subs. (3), (4), and (5), no political subdivision may increase its levy in 2007 or 2008 by a percentage that exceeds the political subdivision's valuation factor. The base amount in any year, to which the limit under this section applies, shall be the maximum allowable levy for the immediately preceding year. In determining its levy in any year, a city, village, town, or county shall subtract any tax increment that is calculated under s. 59.57 (3) (a), 60.85 (1) (L), or 66.1105 (2) (i).

Section 1884. 66.0602 (3) (e) of the statutes is renumbered 66.0602 (3) (e) (intro.) and amended to read:

66.0602 (3) (e) (intro.) The limit otherwise applicable under this section does not apply to the amount that a county levies in that year for a county children with disabilities education board, any of the following:

Section 1885. 66.0602 (3) (e) 1. of the statutes is created to read:

66.0602 (3) (e) 1. The amount that a county levies in that year for a county children with disabilities education board.

Section 1886. 66.0602 (3) (e) 2. of the statutes is created to read:

66.0602 (3) (e) 2. The amount that a 1st class city levies in that year for school purposes.
SECTION 1887. 66.0602 (3) (e) 3. of the statutes is created to read:

66.0602 (3) (e) 3. The amount that a county levies in that year under s. 82.08 (2) for bridge and culvert construction and repair.

SECTION 1888. 66.0602 (3) (e) 4. of the statutes is created to read:

66.0602 (3) (e) 4. The amount that a county levies in that year to make payments to public libraries under s. 43.12.

SECTION 1889. 66.0602 (3) (e) 5. of the statutes is created to read:

66.0602 (3) (e) 5. The amount that a political subdivision levies in that year to make up any revenue shortfall for the debt service on a revenue bond issued under s. 66.0621.

SECTION 1890. 66.0602 (3) (f) of the statutes is repealed.

SECTION 1891. 66.0602 (3) (h) 1. of the statutes is amended to read:

66.0602 (3) (h) 1. Subject to subd. 2., the limit otherwise applicable under this section does not apply to the amount that a city, village, or town levies in that year to pay for charges assessed by a joint fire department organized under s. 61.65 (2) (a) 3. or 62.13 (2m), but only to the extent that the amount levied to pay for such charges would cause the city, village, or town to exceed the limit that is otherwise applicable under this section.

SECTION 1892. 66.0602 (4) (a) of the statutes is amended to read:

66.0602 (4) (a) A political subdivision may exceed the levy increase limit under sub. (2) if its governing body adopts a resolution to that effect and if the resolution is approved in a referendum. The resolution shall specify the proposed amount of increase in the levy beyond the amount that is allowed under sub. (2), and shall specify whether the proposed amount of increase is for the next fiscal year only or if it will apply on an ongoing basis. With regard to a referendum relating to the 2005
levy, or any levy in an odd-numbered year thereafter, the political subdivision may
call a special referendum for the purpose of submitting the resolution to the electors
of the political subdivision for approval or rejection. With regard to a referendum
relating to the 2006 levy, or any levy in an even-numbered year thereafter, the
referendum shall be held at the next succeeding spring primary or election or
September primary or general election.

SECTION 1893. 66.0602 (4) (d) of the statutes is amended to read:

66.0602 (4) (d) Within 14 days after the referendum, the clerk of the political
subdivision shall certify the results of the referendum to the department of revenue.
The levy increase limit otherwise applicable to the political subdivision under this
section is increased in the next fiscal year by the percentage approved by a majority
of those voting on the question. If the resolution specifies that the increase is for one
year only, the amount of the increase shall be subtracted from the base used to
calculate the limit for the 2nd succeeding fiscal year.

SECTION 1894. 66.0602 (5) of the statutes is amended to read:

66.0602 (5) EXCEPTION, CERTAIN TOWNS. A town with a population of less than
2,000 may exceed the levy increase limit otherwise applicable under this section to
the town if the town board adopts a resolution supporting an increase and places the
question on the agenda of an annual town meeting or a special town meeting and if
the annual or special town meeting adopts a resolution endorsing the town board’s
resolution. The limit otherwise applicable to the town under this section is increased
in the next fiscal year by the percentage approved by a majority of those voting on
the question. Within 14 days after the adoption of the resolution, the town clerk shall
certify the results of the vote to the department of revenue.

SECTION 1895. 66.0602 (6) (intro.) of the statutes is amended to read:
66.0602 (6) PENALTIES. (intro.) If Except as provided in sub. (6m), if the
department of revenue determines that a political subdivision has a penalized excess
in any year, the department of revenue shall do all of the following:

SECTION 1896. 66.0602 (6) (c) of the statutes is amended to read:

66.0602 (6) (c) Ensure that the amount of the penalized excess is not included
in determining the limit described under sub. (2) for the political subdivision for the
following year.

SECTION 1897. 66.0602 (6) (d) of the statutes is created to read:

66.0602 (6) (d) Ensure that, if a political subdivision’s penalized excess exceeds
the amount of aid payment that may be reduced under par. (a), the excess amount
is subtracted from the aid payments under par. (a) in the following years until the
total amount of penalized excess is subtracted from the aid payments.

SECTION 1898. 66.0602 (6m) of the statutes is created to read:

66.0602 (6m) MISTAKES IN LEVIES. The department of revenue may issue a
finding that a political subdivision is not liable for a penalty that would otherwise
be imposed under sub. (6) if the department determines that the political
subdivision’s penalized excess is caused by one of the following clerical errors:

(a) The department, through mistake or inadvertence, has assessed to any
county or taxation district, in the current year or in the previous year, a greater or
less valuation for any year than should have been assessed, causing the political
subdivision’s levy to be erroneous in a way that directly causes a penalized excess.

(b) A taxation district clerk or a county clerk, through mistake or inadvertence
in preparing or delivering the tax roll, causes a political subdivision’s levy to be
erroneous in a way that directly causes a penalized excess.

SECTION 1899. 66.0602 (7) of the statutes is repealed.
SECTION 1901m. 66.0615 (1m) (e) 3. of the statutes is created to read:

66.0615 (1m) (e) 3. A district adopting a resolution to impose the taxes under subd. 1. or 2. shall deliver a certified copy of the resolution to the secretary of revenue at least 120 days before its effective date.

SECTION 1902. 66.0615 (1m) (f) 2. of the statutes is amended to read:

66.0615 (1m) (f) 2. Sections 77.51 (12m), (14) (e), (f) and (j) and 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (14) (15), and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the tax described under subd. 1.

SECTION 1904. 66.1017 (1) (a) of the statutes is amended to read:

66.1017 (1) (a) “Family day care home” means a dwelling licensed as a day care center by the department of health and family services children and families under s. 48.65 where care is provided for not more than 8 children.

SECTION 1915. 69.14 (1) (cm) of the statutes is amended to read:

69.14 (1) (cm) Information concerning paternity. For a birth which occurs en route to or at a hospital, the filing party shall give the mother a copy of the pamphlet under s. 69.03 (14). If the child’s parents are not married at the time of the child’s birth, the filing party shall give the mother a copy of the form prescribed by the state registrar under s. 69.15 (3) (b) 3. The filing party shall ensure that trained, designated hospital staff provide to the child’s available parents oral information or an audio or video presentation and written information about the form and the significance and benefits of, and alternatives to, establishing paternity, before the parents sign the form. The filing party shall also provide an opportunity to complete the form and have the form notarized in the hospital. If the mother provides a
completed form to the filing party while she is a patient in the hospital and within
5 days after the birth, the filing party shall send the form directly to the state
registrar. The department of workforce development children and families shall pay
the filing party a financial incentive for correctly filing a form within 60 days after
the child’s birth.

SECTION 1917. 69.15 (3) (b) 3. of the statutes is amended to read:

69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives
a statement acknowledging paternity on a form prescribed by the state registrar and
signed by both parents, and by a parent or legal guardian of any parent who is under
the age of 18 years, along with the fee under s. 69.22, the state registrar shall insert
the name of the father under subd. 1. The state registrar shall mark the certificate
to show that the form is on file. The form shall be available to the department of
workforce development children and families or a county child support agency under
s. 59.53 (5) pursuant to the program responsibilities under s. 49.22 or to any other
person with a direct and tangible interest in the record. The state registrar shall
include on the form for the acknowledgment the information in s. 767.805 and the
items in s. 767.813 (5g).

SECTION 1918. 69.20 (3) (f) of the statutes is amended to read:

69.20 (3) (f) The state or a local registrar may disclose a social security number
on a vital record to the department of workforce development children and families
or a county child support agency under s. 59.53 (5) in response to a request under s.
49.22 (2m).

SECTION 1918g. 69.22 (1) (a) of the statutes is amended to read:
69.22 (1) (a) Except as provided under par. (c), $7 $20 for issuing one certified copy of a vital record and $3 for any additional certified copy of the same vital record issued at the same time.

**SECTION 1918h.** 69.22 (1) (a) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

69.22 (1) (a) Except as provided under par. (c), $20 $7 for issuing one certified copy of a vital record and $3 for any additional certified copy of the same vital record issued at the same time.

**SECTION 1918i.** 69.22 (1) (b) of the statutes is amended to read:

69.22 (1) (b) Except as provided under par. (c), $20 for issuing an uncertified copy of a vital record issued under s. 69.21 (2) (a) or (b), or $7 for verifying information about the event submitted by a requester without issuance of a copy, $7, and $3 for any additional copy of the same vital record issued at the same time.

**SECTION 1918j.** 69.22 (1) (b) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

69.22 (1) (b) Except as provided under par. (c), $20 for issuing an uncertified copy of a vital record issued under s. 69.21 (2) (a) or (b), or $7 for verifying information about the event submitted by a requester without issuance of a copy, $7, and $3 for any additional copy of the same vital record issued at the same time.

**SECTION 1918k.** 69.22 (1) (c) of the statutes is amended to read:

69.22 (1) (c) Twelve Twenty dollars for issuing an uncertified copy of a birth certificate or a certified copy of a birth certificate, $7 of which shall be forwarded to the secretary of administration as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h); and $3 for issuing any additional certified or uncertified copy of the same birth certificate issued at the same time.
**SECTION 1918L.** 69.22 (1) (c) of the statutes, as affected by 2007 Wisconsin Act 

suggest (this act), is amended to read:

69.22 (1) (c) **Twenty Twelve** dollars for issuing an uncertified copy of a birth certificate or a certified copy of a birth certificate, $7 of which shall be forwarded to the secretary of administration as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h); and $3 for issuing any additional certified or uncertified copy of the same birth certificate issued at the same time.

**SECTION 1918m.** 69.22 (1) (d) of the statutes is amended to read:

69.22 (1) (d) In addition to other fees under this subchapter, $10 $20 for expedited service in issuing a vital record.

**SECTION 1918n.** 69.22 (1) (d) of the statutes, as affected by 2007 Wisconsin Act

suggest (this act), is amended to read:

69.22 (1) (d) In addition to other fees under this subchapter, $20 $10 for expedited service in issuing a vital record.

**SECTION 1918p.** 69.22 (1m) of the statutes is amended to read:

69.22 (1m) The Except as provided in sub. (1p), the state registrar and any local registrar acting under this subchapter shall, for each copy of a birth certificate for which a fee under sub. (1) (c) is charged that is issued during a calendar quarter, forward to the secretary of administration for deposit in the appropriations under s. 20.433 (1) (g) and (h) the amounts specified in sub. (1) (c) by the 15th day of the first month following the end of the calendar quarter.

**SECTION 1918q.** 69.22 (1m) of the statutes, as affected by 2007 Wisconsin Act

suggest (this act), is amended to read:

69.22 (1m) Except as provided in sub. (1p), the state registrar and any local registrar acting under this subchapter shall, for each copy of a birth certificate for
which a fee under sub. (1) (c) is charged that is issued during a calendar quarter, forward to the secretary of administration for deposit in the appropriations under s. 20.433 (1) (g) and (h) the amounts specified in sub. (1) (c) by the 15th day of the first month following the end of the calendar quarter.

**SECTION 1918q.** 69.22 (1p) of the statutes is created to read:

69.22 (1p) The state registrar and any local registrar acting under this subchapter shall forward to the secretary of administration for deposit in the appropriation account under s. 20.435 (1) (gm) all of the following:

(a) For any certified copy of a vital record that is issued before July 1, 2010, for which a fee of $20 under sub. (1) (a) is charged, $13.

(b) For any uncertified copy of a vital record that is issued before July 1, 2010, for which a fee of $20 under sub. (1) (b) is charged, $13.

(c) For any copy of a birth certificate that is issued before July 1, 2010, for which a fee of $20 under sub. (1) (c) is charged, $8.

(d) For expedited service in issuing a vital record before July 1, 2010, $10.

**SECTION 1918s.** 69.22 (1p) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

**SECTION 1930.** 69.30 (1) (am) of the statutes is renumbered 69.30 (1) (bd) and amended to read:

69.30 (1) (bd) “Family Long-term care district” has the meaning given in s. 46.2805 (5) (7r).

**SECTION 1931.** 69.30 (2) of the statutes is amended to read:

69.30 (2) A financial institution, state agency, county department, Wisconsin works agency, service office or family long-term care district or an employee of a financial institution, state agency, county department, Wisconsin works agency,
service office or family long-term care district is not subject to s. 69.24 (1) (a) for copying a certified copy of a vital record for use by the financial institution, state agency, county department, Wisconsin works agency, service office or family long-term care district, including use under s. 45.04 (5), if the copy is marked “FOR ADMINISTRATIVE USE”.

SECTION 1932. 70.11 (2) of the statutes is amended to read:

70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.

Property owned by any county, city, village, town, school district, technical college district, public inland lake protection and rehabilitation district, metropolitan sewerage district, municipal water district created under s. 198.22, joint local water authority created under s. 66.0823, family long-term care district under s. 46.2895 or town sanitary district; lands belonging to cities of any other state used for public parks; land tax-deeded to any county or city before January 2; but any residence located upon property owned by the county for park purposes that is rented out by the county for a nonpark purpose shall not be exempt from taxation. Except as to land acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after August 17, 1961, to any such governmental unit or for its benefit while the grantor or others for his or her benefit are permitted to occupy the land or part thereof in consideration for the conveyance. Leasing the property exempt under this subsection, regardless of the lessee and the use of the leasehold income, does not render that property taxable.

SECTION 1934f. 70.11 (44) of the statutes is created to read:

70.11 (44) OLYMPIC ICE TRAINING CENTER. Beginning with the first assessment year in which the property would not otherwise be exempt from taxation under sub. (1), property owned by a nonprofit corporation that operates an Olympic Ice Training
Center on land purchased from the state, if the property is located or primarily used at the center. Property that is exempt under this subsection includes property leased to a nonprofit entity, regardless of the use of the leasehold income, and up to 6,000 square feet of property leased to a for-profit entity, regardless of the use of the leasehold income.

SECTION 1935. 70.111 (23) of the statutes is amended to read:

70.111 (23) VENDING MACHINES. All machines that automatically dispense soda water beverages, as defined in s. 97.29 (1) (i), and items included as a food or beverage under s. 77.54 (20) (a) and (b) food and food ingredient, as defined in s. 77.51 (3t), upon the deposit in the machines of specified coins or currency, or insertion of a credit card, in payment for the soda water beverages, food or beverages food and food ingredient, as defined in s. 77.51 (3t).

SECTION 1936. 71.01 (6) (L) of the statutes is repealed.

SECTION 1937. 71.01 (6) (m) of the statutes is repealed.

SECTION 1938. 71.01 (6) (n) of the statutes is amended to read:

before January 1, 2000, except that changes to the Internal Revenue Code made by
P.L. 106−36, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and
165 of P.L. 106−554, P.L. 107−16, excluding section 431 of P.L. 107−16, P.L. 107−134,
P.L. 107−147, excluding sections 101, 301 (a), and 406 of P.L. 107−147, P.L. 107−181,
excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108−311, and P.L.
108−357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910
of P.L. 108−357, P.L. 109−7, P.L. 109−135, excluding sections 101, 105, 201 (a) as it
relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109−135, and
P.L. 109−280, excluding sections 811 and 844 of P.L. 109−280, and changes that
indirectly affect the provisions applicable to this subchapter made by P.L. 106−36,
P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L.
107−147, excluding sections 101, 301 (a), and 406 of P.L. 107−147, P.L. 107−181, P.L.
107−276, P.L. 108−121, excluding section 109 of P.L. 108−121, P.L. 108−311,
excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108−311, and P.L.
108−357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910
of P.L. 108−357, P.L. 109−7, P.L. 109−135, excluding sections 101, 105, 201 (a) as it
relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109−135, and
P.L. 109−280, excluding sections 811 and 844 of P.L. 109−280, apply for Wisconsin
purposes at the same time as for federal purposes.

**SECTION 1939.** 71.01 (6) (o) of the statutes is amended to read:

71.01 (6) (o) For taxable years that begin after December 31, 1999, and before
January 1, 2003, for natural persons and fiduciaries, except fiduciaries of nuclear
decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
107–147, excluding sections 101, 301 (a), and 406 of P.L. 107–147, P.L. 107–181, P.L.
108–311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108–311, and
P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and
1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L.
109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
(e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections
811 and 844 of P.L. 109–280. The Internal Revenue Code applies for Wisconsin
purposes at the same time as for federal purposes. Amendments to the federal
Internal Revenue Code enacted after December 31, 1999, do not apply to this
paragraph with respect to taxable years beginning after December 31, 1999, and
before January 1, 2003, except that changes to the Internal Revenue Code made by
P.L. 107–134, P.L. 107–147, excluding sections 101, 301 (a), and 406 of P.L. 107–147,
403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 211, 242, 244,
sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351
of P.L. 109–58, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to
section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L.

**SECTION 1940.** 71.01 (6) (p) of the statutes is amended to read:

all:all:all

SECTION 1940

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101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405
apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 1941.** 71.01 (6) (q) of the statutes is amended to read:

71.01 (6) (q) For taxable years that begin after December 31, 2003, and before
January 1, 2005, for natural persons and fiduciaries, except fiduciaries of nuclear
decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
Internal Revenue Code as amended to December 31, 2003, excluding sections 103,
104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
(d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
431 of P.L. 107–16, section sections 101 and 301 (a) of P.L. 107–147, sections 106, 201,
307, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101,
201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375,
1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–73,
excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201
(a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
107–134, P.L. 107–147, excluding section sections 101 and 301 (a) of P.L. 107–147,
108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847,
109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
1329, 1348, and 1351 of P.L. 109–58, P.L. 109–73, excluding section 301 of P.L.
109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section
1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–227, and P.L.
109–280, excluding sections 811 and 844 of P.L. 109–280. The Internal Revenue Code
applies for Wisconsin purposes at the same time as for federal purposes.
Amendments to the federal Internal Revenue Code enacted after December 31, 2003,
do not apply to this paragraph with respect to taxable years beginning after
December 31, 2003, and before January 1, 2005, except that changes to the Internal
101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L.

SECTION 1942. 71.01 (6) (r) of the statutes is amended to read:

SECTION 1942.


SECTION 1943. 71.01 (6) (s) of the statutes is created to read:
SECTION 1943


SECTION 1944. 71.01 (6) (t) of the statutes is created to read:
71.01 (6) (t) For taxable years that begin after December 31, 2006, for natural
persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
reserve funds, “Internal Revenue Code” means the federal Internal Revenue Code
as amended to December 31, 2006, excluding sections 103, 104, and 110 of P.L.
102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,
431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and
(a) of P.L. 108–311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910
of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,
1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301
of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403
(e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, 512, and 513 of
102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605

SECTION 1945. 71.01 (7r) (c) of the statutes is created to read:

71.01 (7r) (c) Notwithstanding sub. (6), section 101 of P.L. 109–222, related to extending the increased expense deduction under section 179 of the Internal Revenue Code, applies to property used in farming that is acquired and placed in service in taxable years beginning on or after January 1, 2008, and used by a person who is actively engaged in farming. For purposes of this paragraph, “actively engaged in farming” has the meaning given in 7 CFR 1400.201, and “farming” has the meaning given in section 464 (e) (1) of the Internal Revenue Code.

SECTION 1946. 71.02 (1) of the statutes is amended to read:
71.02 (1) For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax on all net incomes of individuals and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every natural person residing within the state or by his or her personal representative in case of death, and trusts resident within the state; by every nonresident natural person and trust of this state, upon such income as is derived from property located or business transacted within the state including, but not limited by enumeration, income derived from a limited partner’s distributive share of partnership income, income derived from a limited liability company member’s distributive share of limited liability company income, income derived from a covenant not to compete to the extent that the covenant was based on a Wisconsin-based activity, the state lottery under ch. 565, any multijurisdictional lottery under ch. 565 if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the department, winnings from a casino or bingo hall that is located in this state and that is operated by a Native American tribe or band and pari-mutuel wager winnings or purses under ch. 562, and also by every nonresident natural person upon such income as is derived from the performance of personal services within the state, except as exempted under s. 71.05 (1) to (3). Every natural person domiciled in the state shall be deemed to be residing within the state for the purposes of determining liability for income taxes and surtaxes. A single-owner entity that is disregarded as a separate entity under section 7701 of the Internal Revenue Code is disregarded as a separate entity under this chapter, and its owner is subject to the tax on the entity’s income.

SECTION 1947. 71.04 (1) (a) of the statutes is amended to read:
71.04 (1) (a) All income or loss of resident individuals and resident estates and trusts shall follow the residence of the individual, estate or trust. Income or loss of nonresident individuals and nonresident estates and trusts from business, not requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the business from which derived, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. All items of income, loss and deductions of nonresident individuals and nonresident estates and trusts derived from a tax–option corporation not requiring apportionment under sub. (9) shall follow the situs of the business of the corporation from which derived, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. Income or loss of nonresident individuals and nonresident estates and trusts derived from rentals and royalties from real estate or tangible personal property, or from the operation of any farm, mine or quarry, or from the sale of real property or tangible personal property shall follow the situs of the property from which derived. Income from personal services of nonresident individuals, including income from professions, shall follow the situs of the services. A nonresident limited partner’s distributive share of partnership income shall follow the situs of the business, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. A nonresident limited liability company member’s distributive share of limited liability company income shall follow the situs of the business, except that all income that is realized from the sale of or purchase and subsequent sale or
redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. Income of nonresident individuals, estates and trusts from the state lottery under ch. 565 is taxable by this state. Income of nonresident individuals, estates and trusts from any multijurisdictional lottery under ch. 565 is taxable by this state, but only if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the department. Income of nonresident individuals, nonresident trusts and nonresident estates from pari-mutuel winnings or purses under ch. 562 is taxable by this state. Income of nonresident individuals, estates and trusts from winnings from a casino or bingo hall that is located in this state and that is operated by a Native American tribe or band shall follow the situs of the casino or bingo hall. **Income derived by a nonresident individual from a covenant not to compete is taxable by this state to the extent that the covenant was based on a Wisconsin-based activity.** All other income or loss of nonresident individuals and nonresident estates and trusts, including income or loss derived from land contracts, mortgages, stocks, bonds and securities or from the sale of similar intangible personal property, shall follow the residence of such persons, except as provided in par. (b) and sub. (9), except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state.

**SECTION 1947g.** 71.05 (1) (ae) of the statutes is created to read:

71.05 (1) (ae) **Pension, individual retirement income.** Except for a payment that is exempt under par. (a), (am), or (an), or that is exempt as a railroad retirement benefit, for taxable years beginning after December 31, 2008, up to $5,000 of payments or distributions received each year by an individual from a qualified
retirement plan under the Internal Revenue Code or from an individual retirement account established under 26 USC 408, if all of the following conditions apply:

1. The individual is at least 65 years of age before the close of the taxable year to which the exemption claim relates.

2. If the individual is single or files as head of household, his or her federal adjusted gross income in the year to which the exemption claim relates is less than $15,000.

3. If the individual is married and is a joint filer, the couple's federal adjusted gross income in the year to which the exemption claim relates is less than $30,000.

4. If the individual is married and files a separate return, the sum of both spouses' federal adjusted gross income in the year to which the exemption claim relates is less than $30,000.

SECTION 1947i. 71.05 (1) (am) of the statutes is amended to read:

71.05 (1) (am) Military retirement systems. All retirement payments received from the U.S. military employee retirement system, to the extent that such payments are not exempt under par. (a) or (ae).

SECTION 1947j. 71.05 (1) (an) of the statutes is amended to read:

71.05 (1) (an) Uniformed services retirement benefits. All retirement payments received from the U.S. government that relate to service with the coast guard, the commissioned corps of the national oceanic and atmospheric administration, or the commissioned corps of the public health service, to the extent that such payments are not exempt under par. (a), (ae), or (am).

SECTION 1947m. 71.05 (1) (c) 8. of the statutes is created to read:

71.05 (1) (c) 8. The Wisconsin Health and Educational Facilities Authority under s. 231.03 (6), on or after the effective date of this subdivision .... [revisor inserts
date], if the proceeds from the bonds or notes that are issued are used by a health
facility, as defined in s. 231.01 (5), to fund the acquisition of information technology
hardware or software.

SECTION 1948. 71.05 (6) (a) 15. of the statutes is amended to read:

71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),
(2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (3g), (3h), (3i), (3j), (3k),
and (5e), (5f), and (5h), (5i), (5j), and (5k) and not passed through by a
partnership, limited liability company, or tax–option corporation that has added that
amount to the partnership's, company's, or tax–option corporation's income under s.
71.21 (4) or 71.34 (1) (g).

SECTION 1949. 71.05 (6) (a) 21. of the statutes is created to read:

71.05 (6) (a) 21. Any amount deducted as income attributable to domestic
production activities under section 199 of the Internal Revenue Code if the
individual claiming the deduction is a nonresident or part–year resident of this state
and if the domestic production activities income is not attributable to a trade or
business that is taxable by this state.

SECTION 1950. 71.05 (6) (a) 22. of the statutes is created to read:

71.05 (6) (a) 22. If an individual is a nonresident or part–year resident of this
state and a portion of the amount the individual deducted as income attributable to
domestic production activities under section 199 of the Internal Revenue Code is
attributable to a trade or business that is taxable by this state, the amount deducted
under section 199 for federal income tax purposes and in excess of that amount,
multiplied by a fraction, the numerator of which is the individual's net earnings from
the trade or business that is taxable by this state and the denominator of which is
the individual's total net earnings from the trade or business to which the deduction
under section 199 of the Internal Revenue Code applies.

SECTION 1951. 71.05 (6) (a) 23. of the statutes is created to read:

71.05 (6) (a) 23. Any amount deducted by an individual under section 62 (a) (20)
of the Internal Revenue Code related to attorney fees or court costs, involving an
unlawful discrimination claim, if the individual is a nonresident or part-year
resident of this state and if the judgment or settlement resulting from the claim is
not taxable by this state.

SECTION 1951m. 71.05 (6) (b) 4. of the statutes is amended to read:

71.05 (6) (b) 4. Disability payments other than disability payments that are
paid from a retirement plan, the payments from which are exempt under sub. (1) (ae),
(am), and (an), if the individual either is single or is married and files a joint return,
to the extent those payments are excludable under section 105 (d) of the Internal Revenue Code Internal Revenue Code as it existed immediately prior to its repeal in
1983 by section 122 (b) of P.L. 98−21, except that if an individual is divorced during
the taxable year that individual may subtract an amount only if that person is
disabled and the amount that may be subtracted then is $100 for each week that
payments are received or the amount of disability pay reported as income, whichever
is less. If the exclusion under this subdivision is claimed on a joint return and only
one of the spouses is disabled, the maximum exclusion is $100 for each week that
payments are received or the amount of disability pay reported as income, whichever
is less.

SECTION 1952. 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses and
mandatory student fees for a student who is the claimant or who is the claimant’s
child and the claimant’s dependent who is claimed under section 151 (c) of the Internal Revenue Code, to attend any university, college, technical college or a school approved under s. 38.50, that is located in Wisconsin or to attend a public vocational school or public institution of higher education in Minnesota under the Minnesota–Wisconsin reciprocity agreement under s. 39.47, calculated as follows:

**SECTION 1952.** 71.05 (6) (b) 28. a. of the statutes is amended to read:

71.05 (6) (b) 28. a. An amount equal to one of the following per student for each year to which the claim relates: for taxable years beginning before January 1, 2009, not more than twice the average amount charged by the board of regents of the University of Wisconsin System at 4-year institutions for resident undergraduate academic fees for the most recent fall semester, as determined by the board of regents by September 1 of that semester, per student for each year to which the claim relates; for taxable years beginning after December 31, 2008, and subject to subd. 28. am., $6,000.

**SECTION 1953.** 71.05 (6) (b) 28. am. of the statutes is created to read:

71.05 (6) (b) 28. am. Notwithstanding subd. 28. a., for taxable years beginning after December 31, 2008, the department of revenue and the Board of Regents of the University of Wisconsin System shall continue making the calculation described under subd. 28. a. Notwithstanding subd. 28. a., once this calculation exceeds $6,000, the deduction for tuition expenses and mandatory student fees, as described in subd. 28. (intro.), shall be based on an amount equal to not more than twice the average amount charged by the Board of Regents of the University of Wisconsin System at 4-year institutions for resident undergraduate academic fees for the most recent fall semester, as determined by the Board of Regents by September 1 of that semester, per student for each year to which the claim relates, and the deduction that
may be claimed under this subd. 28. am. first applies to taxable years beginning on
the January 1 after the calculation of the Board of Regents, that must occur by
September 1, exceeds $6,000.

SECTION 1953d. 71.05 (6) (b) 28. b. of the statutes is amended to read:

71.05 (6) (b) 28. b. From the amount calculated under subd. 28. a. or am., if the
claimant is single or married and filing as head of household and his or her federal
adjusted gross income is more than $50,000 but not more than $60,000, subtract the
product of the amount calculated under subd. 28. a. or am., and the value of a fraction,
the denominator of which is $10,000 and the numerator of which is the difference
between the claimant’s federal adjusted gross income and $50,000.

SECTION 1953e. 71.05 (6) (b) 28. c. of the statutes is amended to read:

71.05 (6) (b) 28. c. From the amount calculated under subd. 28. a. or am., if the
claimant is married and filing jointly and the claimant’s and his or her spouse’s
federal adjusted gross income is more than $80,000 but not more than $100,000,
subtract the product of the amount calculated under subd. 28. a. or am., and the value
of a fraction, the denominator of which is $20,000 and the numerator of which is the
difference between the claimant’s and his or her spouse’s federal adjusted gross
income and $80,000.

SECTION 1953f. 71.05 (6) (b) 28. d. of the statutes is amended to read:

71.05 (6) (b) 28. d. From the amount calculated under subd. 28. a. or am., if the
claimant is married and filing separately and the claimant’s federal adjusted gross
income is more than $40,000 but not more than $50,000, subtract the product of the
amount calculated under subd. 28. a. or am., and the value of a fraction, the
denominator of which is $10,000 and the numerator of which is the difference
between the claimant’s federal adjusted gross income and $40,000.
SECTION 1953g. 71.05 (6) (b) 28. e. of the statutes is amended to read:

71.05 (6) (b) 28. e. For an individual who is a nonresident or part-year resident of this state, multiply the amount calculated under subd. 28. a., am., b., c. or d. by a fraction the numerator of which is the individual’s wages, salary, tips, unearned income and net earnings from a trade or business that are taxable by this state and the denominator of which is the individual’s total wages, salary, tips, unearned income and net earnings from a trade or business. In this subd. 28. e., for married persons filing separately “wages, salary, tips, unearned income and net earnings from a trade or business” means the separate wages, salary, tips, unearned income and net earnings from a trade or business of each spouse, and for married persons filing jointly “wages, salary, tips, unearned income and net earnings from a trade or business” means the total wages, salary, tips, unearned income and net earnings from a trade or business of both spouses.

SECTION 1953h. 71.05 (6) (b) 28. f. of the statutes is amended to read:

71.05 (6) (b) 28. f. Reduce the amount calculated under subd. 28. a., am., b., c., d. or e. to the individual’s aggregate wages, salary, tips, unearned income and net earnings from a trade or business that are taxable by this state.

SECTION 1954. 71.05 (6) (b) 28. h. of the statutes is amended to read:

71.05 (6) (b) 28. h. No modification may be claimed under this subdivision for an amount paid for tuition expenses and mandatory student fees, as described under this subdivision, if the source of the payment is an amount withdrawn from a college savings account, as described in s. 14.64 or from a college tuition and expenses program, as described in s. 14.63, and if the claimant owner of the account has claimed a deduction under subd. 32. or 33. that relates to such an amount.

SECTION 1955. 71.05 (6) (b) 39. of the statutes is created to read:
71.05 (6) (b) 39. For taxable years beginning after December 31, 2007, and before January 1, 2009, an amount paid by an individual who is the employee of another person, if the individual's employer pays a portion of the cost of the individual's medical care insurance, for medical care insurance for the individual, his or her spouse, and the individual's dependents, calculated as follows:

a. Ten percent of the amount paid by the individual for medical care insurance. In this subdivision, “medical care insurance” means a medical care insurance policy that covers the individual, his or her spouse, and the individual's dependents and provides surgical, medical, hospital, major medical, or other health service coverage, and includes payments made for medical care benefits under a self-insured plan, but “medical care insurance” does not include hospital indemnity policies or policies with ancillary benefits such as accident benefits or benefits for loss of income resulting from a total or partial inability to work because of illness, sickness, or injury.

b. From the amount calculated under subd. 39. a., subtract the amounts deducted from gross income for medical care insurance in the calculation of federal adjusted gross income.

c. For an individual who is a nonresident or part-year resident of this state, multiply the amount calculated under subd. 39. a. or b., by a fraction the numerator of which is the individual's wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by this state and the denominator of which is the individual's total wages, salary, tips, unearned income, and net earnings from a trade or business. In this subd. 39. c., for married persons filing separately “wages, salary, tips, unearned income, and net earnings from a trade or business” means the separate wages, salary, tips, unearned income, and net earnings from a trade or business of each spouse, and for married persons filing jointly “wages, salary, tips,
unearned income, and net earnings from a trade or business” means the total wages, salary, tips, unearned income, and net earnings from a trade or business of both spouses.

d. Reduce the amount calculated under subd. 39. a., b., or c. to the individual’s aggregate wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by this state.

SECTION 1956. 71.05 (6) (b) 40. of the statutes is created to read:

71.05 (6) (b) 40. For taxable years beginning after December 31, 2008, and before January 1, 2010, an amount paid by an individual who is the employee of another person, if the individual’s employer pays a portion of the cost of the individual’s medical care insurance, for medical care insurance for the individual, his or her spouse, and the individual’s dependents, calculated as follows:

a. Twenty-five percent of the amount paid by the individual for medical care insurance. In this subdivision, “medical care insurance” means a medical care insurance policy that covers the individual, his or her spouse, and the individual’s dependents and provides surgical, medical, hospital, major medical, or other health service coverage, and includes payments made for medical care benefits under a self-insured plan, but “medical care insurance” does not include hospital indemnity policies or policies with ancillary benefits such as accident benefits or benefits for loss of income resulting from a total or partial inability to work because of illness, sickness, or injury.

b. From the amount calculated under subd. 40. a., subtract the amounts deducted from gross income for medical care insurance in the calculation of federal adjusted gross income.
c. For an individual who is a nonresident or part-year resident of this state, multiply the amount calculated under subd. 40. a. or b., by a fraction the numerator of which is the individual’s wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by this state and the denominator of which is the individual’s total wages, salary, tips, unearned income, and net earnings from a trade or business. In this subd. 40. c., for married persons filing separately “wages, salary, tips, unearned income, and net earnings from a trade or business” means the separate wages, salary, tips, unearned income, and net earnings from a trade or business of each spouse, and for married persons filing jointly “wages, salary, tips, unearned income, and net earnings from a trade or business” means the total wages, salary, tips, unearned income, and net earnings from a trade or business of both spouses.

d. Reduce the amount calculated under subd. 40. a., b., or c. to the individual’s aggregate wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by this state.

**SECTION 1957.** 71.05 (6) (b) 41. of the statutes is created to read:

71.05 (6) (b) 41. For taxable years beginning after December 31, 2009, and before January 1, 2011, an amount paid by an individual who is the employee of another person, if the individual’s employer pays a portion of the cost of the individual’s medical care insurance, for medical care insurance for the individual, his or her spouse, and the individual’s dependents, calculated as follows:

a. Forty-five percent of the amount paid by the individual for medical care insurance. In this subdivision, “medical care insurance” means a medical care insurance policy that covers the individual, his or her spouse, and the individual’s dependents and provides surgical, medical, hospital, major medical, or other health
service coverage, and includes payments made for medical care benefits under a
self-insured plan, but “medical care insurance” does not include hospital indemnity
policies or policies with ancillary benefits such as accident benefits or benefits for loss
of income resulting from a total or partial inability to work because of illness,
sickness, or injury.

b. From the amount calculated under subd. 41. a., subtract the amounts
deducted from gross income for medical care insurance in the calculation of federal
adjusted gross income.

c. For an individual who is a nonresident or part-year resident of this state,
multiply the amount calculated under subd. 41. a. or b., by a fraction the numerator
of which is the individual’s wages, salary, tips, unearned income, and net earnings
from a trade or business that are taxable by this state and the denominator of which
is the individual’s total wages, salary, tips, unearned income, and net earnings from
a trade or business. In this subd. 41. c., for married persons filing separately “wages,
salary, tips, unearned income, and net earnings from a trade or business” means the
separate wages, salary, tips, unearned income, and net earnings from a trade or
business of each spouse, and for married persons filing jointly “wages, salary, tips,
unearned income, and net earnings from a trade or business” means the total wages,
salary, tips, unearned income, and net earnings from a trade or business of both
spouses.

d. Reduce the amount calculated under subd. 41. a., b., or c. to the individual’s
aggregate wages, salary, tips, unearned income, and net earnings from a trade or
business that are taxable by this state.

SECTION 1958. 71.05 (6) (b) 42. of the statutes is created to read:
(b) 42. For taxable years beginning after December 31, 2010, an amount paid by an individual who is the employee of another person, if the individual’s employer pays a portion of the cost of the individual’s medical care insurance, for medical care insurance for the individual, his or her spouse, and the individual’s dependents, calculated as follows:

   a. One hundred percent of the amount paid by the individual for medical care insurance. In this subdivision, “medical care insurance” means a medical care insurance policy that covers the individual, his or her spouse, and the individual’s dependents and provides surgical, medical, hospital, major medical, or other health service coverage, and includes payments made for medical care benefits under a self-insured plan, but “medical care insurance” does not include hospital indemnity policies or policies with ancillary benefits such as accident benefits or benefits for loss of income resulting from a total or partial inability to work because of illness, sickness, or injury.

   b. From the amount calculated under subd. 42. a., subtract the amounts deducted from gross income for medical care insurance in the calculation of federal adjusted gross income.

   c. For an individual who is a nonresident or part-year resident of this state, multiply the amount calculated under subd. 42. a. or b., by a fraction the numerator of which is the individual’s wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by this state and the denominator of which is the individual’s total wages, salary, tips, unearned income, and net earnings from a trade or business. In this subd. 42. c., for married persons filing separately “wages, salary, tips, unearned income, and net earnings from a trade or business” means the separate wages, salary, tips, unearned income, and net earnings from a trade or
business of each spouse, and for married persons filing jointly “wages, salary, tips, unearned income, and net earnings from a trade or business” means the total wages, salary, tips, unearned income, and net earnings from a trade or business of both spouses.

d. Reduce the amount calculated under subd. 42. a., b., or c. to the individual’s aggregate wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by this state.

SECTION 1959. 71.05 (6) (b) 43. of the statutes is created to read:

71.05 (6) (b) 43. Subject to subd. 43. e. and f., one of the following allowable amounts, specified in subd. 43. a. to d., of employment−related expenses claimed by the claimant under section 21 of the Internal Revenue Code in the taxable year to which that claim relates:

a. For taxable years beginning after December 31, 2008, and before January 1, 2010, up to $750 if the claimant has one qualified individual and up to $1,500 if the claimant has more than one qualified individual.

b. For taxable years beginning after December 31, 2009, and before January 1, 2011, up to $1,500 if the claimant has one qualified individual and up to $3,000 if the claimant has more than one qualified individual.

c. For taxable years beginning after December 31, 2010, and before January 1, 2012, up to $2,250 if the claimant has one qualified individual and up to $4,500 if the claimant has more than one qualified individual.

d. For taxable years beginning after December 31, 2011, up to $3,000 if the claimant has one qualified individual and up to $6,000 if the claimant has more than one qualified individual.
e. A claimant who claims the subtraction under this subdivision is subject to the special rules in 26 USC 21 (e) (2) and (4).

f. An individual who is a nonresident or part−year resident of this state and who claims the subtraction under this subdivision shall multiply the amount calculated under subd. 43. a., b., c., or d. by a fraction the numerator of which is the individual's wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by this state and the denominator of which is the individual's total wages, salary, tips, unearned income, and net earnings from a trade or business. In this subd. 43. f., for married persons filing separately “wages, salary, tips, unearned income, and net earnings from a trade or business” means the separate wages, salary, tips, unearned income, and net earnings from a trade or business of each spouse, and for married persons filing jointly “wages, salary, tips, unearned income, and net earnings from a trade or business” means the total wages, salary, tips, unearned income, and net earnings from a trade or business of both spouses.

**SECTION 1959c.** 71.05 (6) (b) 44. of the statutes is created to read:

71.05 (6) (b) 44. For taxable years beginning after December 31, 2006, the amount of any incentive payment received by an individual under s. 23.33 (5r) in the taxable year to which the claim relates.

**SECTION 1961.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

71.07 (2dx) (a) 5. “Member of a targeted group” means a person who resides in an area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay project position under s. 49.147 (3m), a person who is eligible for child care
assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
economically disadvantaged youth, an economically disadvantaged veteran, a
supplemental security income recipient, a general assistance recipient, an
economically disadvantaged ex-convict, a qualified summer youth employee, as
defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
a food stamp recipient, if the person has been certified in the manner under sub. (2dj)
(am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

**SECTION 1962.** 71.07 (2dx) (b) 2. of the statutes is amended to read:

71.07 (2dx) (b) 2. The amount determined by multiplying the amount
determined under s. 560.785 (1) (b) by the number of full-time jobs created in a
development zone and filled by a member of a targeted group and by then subtracting
the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid
under s. 49.147 (3m) (c) for those jobs.

**SECTION 1963.** 71.07 (2dx) (b) 3. of the statutes is amended to read:

71.07 (2dx) (b) 3. The amount determined by multiplying the amount
determined under s. 560.785 (1) (c) by the number of full-time jobs created in a
development zone and not filled by a member of a targeted group and by then
subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
reimbursements paid under s. 49.147 (3m) (c) for those jobs.

**SECTION 1964.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

71.07 (2dx) (b) 4. The amount determined by multiplying the amount
determined under s. 560.785 (1) (bm) by the number of full-time jobs retained, as
provided in the rules under s. 560.785, excluding jobs for which a credit has been
claimed under sub. (2dj), in an enterprise development zone under s. 560.797 and for
which significant capital investment was made and by then subtracting the
subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 1965. 71.07 (2dx) (b) 5. of the statutes is amended to read:

71.07 (2dx) (b) 5. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (2dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 1965h. 71.07 (3h) of the statutes is created to read:

71.07 (3h) BIODIESEL FUEL PRODUCTION CREDIT. (a) Definitions. In this subsection:

1. “Biodiesel fuel” has the meaning given in s. 168.14 (2m) (a).

2. “Claimant” means a person who is engaged in the business of producing biodiesel fuel in this state and who files a claim under this subsection.

(b) Filing claims. Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2009, and before January 1, 2013, for a claimant who produces at least 2,500,000 gallons of biodiesel fuel in this state in the taxable year, a claimant may claim as a credit against the tax imposed under s. 71.02, up to the amount of the tax, an amount that is equal to the number of gallons of biodiesel fuel produced by the claimant in this state in the taxable year multiplied by 10 cents.

(c) Limitations. 1. The maximum amount of the credit that a claimant may claim under this subsection in a taxable year is $1,000,000.
2. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their biodiesel fuel production, as described under par. (b).

A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

(d) Administration. Section 71.28 (4) (e) to (h) as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

SECTION 1966. 71.07 (3p) of the statutes is created to read:

71.07 (3p) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT. (a) Definitions.

In this subsection:

1. “Claimant” means a person who files a claim under this subsection.

2. “Dairy manufacturing” means processing milk into dairy products or processing dairy products for sale commercially.

3. “Dairy manufacturing modernization or expansion” means constructing, improving, or acquiring buildings or facilities, or acquiring equipment, for dairy manufacturing, including the following, if used exclusively for dairy manufacturing and if acquired and placed in service in this state during taxable years that begin after December 31, 2006, and before January 1, 2015:

a. Building construction, including storage and warehouse facilities.

b. Building additions.

c. Upgrades to utilities, including water, electric, heat, and waste facilities.

d. Milk intake and storage equipment.
e. Processing and manufacturing equipment, including pipes, motors, pumps, valves, pasteurizers, homogenizers, vats, evaporators, dryers, concentrators, and churns.

f. Packaging and handling equipment, including sealing, bagging, boxing, labeling, conveying, and product movement equipment.

g. Warehouse equipment, including storage racks.

h. Waste treatment and waste management equipment, including tanks, blowers, separators, dryers, digesters, and equipment that uses waste to produce energy, fuel, or industrial products.

i. Computer software and hardware used for managing the claimant’s dairy manufacturing operation, including software and hardware related to logistics, inventory management, and production plant controls.

4. “Used exclusively” means used to the exclusion of all other uses except for use not exceeding 5 percent of total use.

(b) Filing claims. Subject to the limitations provided in this subsection and s. 560.207, for taxable years beginning after December 31, 2006, and before January 1, 2015, a claimant may claim as a credit against the taxes imposed under s. 71.02 or 71.08, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for dairy manufacturing modernization or expansion related to the claimant’s dairy manufacturing operation.

(c) Limitations. 1. No credit may be allowed under this subsection for any amount that the claimant paid for expenses described under par. (b) that the claimant also claimed as a deduction under section 162 of the Internal Revenue Code.

2. The aggregate amount of credits that a claimant may claim under this subsection is $200,000.
2m. a. The maximum amount of the credits that may be claimed under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2007−08 is $600,000, as allocated under s. 560.207.

b. The maximum amount of the credits that may be claimed under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2008−09, and in each fiscal year thereafter, is $700,000, as allocated under s. 560.207.

3. Partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of expenses under par. (b), except that the aggregate amount of credits that the entity may compute shall not exceed $200,000. A partnership, limited liability company, or tax−option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit in proportion to their ownership interest.

4. If 2 or more persons own and operate the dairy manufacturing operation, each person may claim a credit under par. (b) in proportion to his or her ownership interest, except that the aggregate amount of the credits claimed by all persons who own and operate the dairy manufacturing operation shall not exceed $200,000.

(d) Administration. 1. Section 71.28 (4) (e), (g), and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under s. 71.02 or 71.08 or no tax is due under s. 71.02 or 71.08, the amount of the claim not used to offset the tax due shall be certified by the department of revenue
to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (bn).

**SECTION 1966.** 71.07 (3w) (a) 5m. of the statutes is created to read:

71.07 (3w) (a) 5m. “Wages” means wages under section 3306 (b) of the Internal Revenue Code, determined without regard to any dollar limitations.

**SECTION 1967.** 71.07 (3w) (a) 6m. of the statutes is amended to read:

71.07 (3w) (a) 6m. “Wages” means wages under section 3306 (b) of the Internal Revenue Code, determined without regard to any dollar limitations.

**SECTION 1968.** 71.07 (3w) (a) 6m. of the statutes is amended to read:

71.07 (3w) (a) 6m. “Zone payroll” means the amount of state payroll that is attributable to compensation wages paid to individuals full-time employees for services that are performed in an enterprise zone. “Zone payroll” does not include the amount of compensation wages paid to any individuals full-time employees that exceeds $100,000.

**SECTION 1969.** 71.07 (3w) (b) 1. a. of the statutes is amended to read:

71.07 (3w) (b) 1. a. The claimant’s zone payroll in the taxable year, minus the claimant’s zone payroll number of full-time employees whose annual wages are greater than $30,000 and who the claimant employed in the enterprise zone in the taxable year, minus the number of full-time employees whose annual wages were greater than $30,000 and who the claimant employed in the area that comprises the enterprise zone in the base year.

**SECTION 1970.** 71.07 (3w) (b) 1. b. of the statutes is amended to read:

71.07 (3w) (b) 1. b. The claimant’s state payroll in the taxable year, minus the claimant’s state payroll number of full-time employees whose annual wages are greater than $30,000 and who the claimant employed in the state in the taxable year, minus the number of full-time employees whose annual wages were greater than $30,000 and who the claimant employed in the state in the base year.

**SECTION 1971.** 71.07 (3w) (b) 2. of the statutes is amended to read:
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71.07 (3w) (b) 2. Subtract the number of full-time employees whose annual wages are greater than $30,000 and who the claimant employed in the area that comprises the enterprise zone in the base taxable year from the number of full-time employees whose annual wages are greater than $30,000 and who the claimant employed in the enterprise zone in the taxable year.

SECTION 1972. 71.07 (3w) (b) 3. of the statutes is amended to read:

71.07 (3w) (b) 3. Multiply Subtract $30,000 from the amount determined under subd. 2., but not an amount less than zero, by $30,000.

SECTION 1973. 71.07 (3w) (b) 4. of the statutes is amended to read:

71.07 (3w) (b) 4. Subtract Multiply the amount determined under subd. 3. from by the amount determined under subd. 1.

SECTION 1974. 71.07 (3w) (bm) (intro.) and 4. of the statutes are consolidated, renumbered 71.07 (3w) (bm) and amended to read:

71.07 (3w) (bm) Filing supplemental claims. In addition to the credit under par. (b) and subject to the limitations provided in this subsection and s. 560.799, a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount equal to all of the following: 4. The amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant’s full-time employees, to train any of the claimant’s full-time employees on the use of job-related new technologies, or to provide job-related training to any full-time employee whose employment with the claimant represents the employee’s first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 1975. 71.07 (3w) (bm) 3. of the statutes is repealed.
SECTION 1976. 71.07 (3w) (d) of the statutes is amended to read:

71.07 (3w) (d) Administration. Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall include with their returns a copy of their certification for tax benefits, and a copy of the verification of their expenses, from the department of commerce.

SECTION 1976s. 71.07 (5) (a) 15. of the statutes is amended to read:

71.07 (5) (a) 15. The amount claimed as a deduction for medical care insurance under section 213 of the Internal Revenue Code that is exempt from taxation under s. 71.05 (6) (b) 17. to 20., 35., 36., 37., and 38., 39., 40., 41., and 42. and the amount claimed as a deduction for a long-term care insurance policy under section 213 (d) (1) (D) of the Internal Revenue Code, as defined in section 7702B (b) of the Internal Revenue Code that is exempt from taxation under s. 71.05 (6) (b) 26.

SECTION 1977. 71.07 (5b) (c) 1. of the statutes is amended to read:

71.07 (5b) (c) 1. The Exception as provided in s. 73.03 (63), the maximum amount of the credits that may be claimed under this subsection and ss. 71.28 (5b) and 71.47 (5b) for all taxable years combined is $35,000,000 $52,500,000.

SECTION 1978. 71.07 (5b) (d) of the statutes is renumbered 71.07 (5b) (d) 1.

SECTION 1979. 71.07 (5b) (d) 2. of the statutes is created to read:

71.07 (5b) (d) 2. The Wisconsin adjusted basis of any investment for which a credit is claimed under par. (b) shall be reduced by the amount of the credit that is offset against Wisconsin income taxes. The Wisconsin basis of a partner’s interest in a partnership, a member’s interest in a limited liability company, or stock in a tax-option corporation shall be adjusted to reflect adjustments made under this subdivision.

SECTION 1980. 71.07 (5d) (c) 1. of the statutes is amended to read:
1. The maximum amount of the credits that may be claimed under this subsection for all taxable years combined is $30,000,000.

SECTION 1981. 71.07 (5d) (c) 2. of the statutes is amended to read:

1. The maximum amount of a claimant’s investment that may be used as the basis for a credit under this subsection is $500,000 for each investment made directly in a business certified under s. 560.205 (1).

SECTION 1982. 71.07 (5d) (d) 4. of the statutes is created to read:

1. The Wisconsin adjusted basis of any investment for which a credit is claimed under par. (b) shall be reduced by the amount of the credit that is offset against Wisconsin income taxes.

SECTION 1983. 71.07 (5e) (b) of the statutes is amended to read:

1. Filing claims. Subject to the limitations provided in this subsection and subject to 2005 Wisconsin Act 479, section 17, beginning in the first taxable year following the taxable year in which the claimant claimed an exemption or a deduction under s. 77.54 (48) 77.585 (9), a claimant may claim as a credit against the taxes imposed under ss. 71.02 and 71.08, up to the amount of those taxes, in each taxable year for 2 years, the amount certified by the department of commerce that resulted from the claimant claiming an exemption claiming a deduction under s. 77.54 (48) 77.585 (9).

SECTION 1984. 71.07 (5e) (c) 1. of the statutes is amended to read:

1. No credit may be allowed under this subsection unless the claimant satisfies the requirements under s. 77.54 (48) 77.585 (9).

SECTION 1985. 71.07 (5e) (c) 3. of the statutes is amended to read:
71.07 (5e) (c) 3. The total amount of the credits and exemptions the sales and use tax resulting from the deductions claimed under s. 77.585 (9) that may be claimed by all claimants under this subsection and ss. 71.28 (5e), 71.47 (5e), and 77.54 (48) 77.585 (9) is $7,500,000, as determined by the department of commerce.

SECTION 1986. 71.07 (5h) (a) 4. of the statutes is amended to read:

71.07 (5h) (a) 4. “Previously owned property” means real property that the claimant or a related person owned during the 2 years prior to doing business in this state as a film production company and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 of the Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than 50 percent ownership, the claimant is subject to section 267 of the Internal Revenue Code for purposes of this subsection.

SECTION 1987. 71.07 (5h) (c) 2. of the statutes is amended to read:

71.07 (5h) (c) 2. A claimant may claim the credit under par. (b) 2. for an amount expended to construct, rehabilitate, remodel, or repair real property, if the claimant began the physical work of construction, rehabilitation, remodeling, or repair, or any demolition or destruction in preparation for the physical work, after December 31, 2007, or if and the completed project is placed in service after December 31, 2007.

SECTION 1988. 71.07 (5h) (c) 3. of the statutes is amended to read:

71.07 (5h) (c) 3. A claimant may claim the credit under par. (b) 2. for an amount expended to acquire real property, if the property is not previously owned property and if the claimant acquires the property after December 31, 2007, or if and the completed project is placed in service after December 31, 2007.

SECTION 1989. 71.07 (5i) of the statutes is created to read:
71.07 (5i) ELECTRONIC MEDICAL RECORDS CREDIT. (a) Definitions. In this subsection, “claimant” means a person who files a claim under this subsection.

(b) Filing claims. Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the taxes imposed under s. 71.02, up to the amount of those taxes, an amount equal to 50 percent of the amount the claimant paid in the taxable year for information technology hardware or software that is used to maintain medical records in electronic form, if the claimant is a health care provider, as defined in s. 146.81 (1).

(c) Limitations. 1. The maximum amount of the credits that may be claimed under this subsection and ss. 71.28 (5i) and 71.47 (5i) in a taxable year is $10,000,000, as allocated under s. 560.204.

2. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

(d) Administration. Section 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

SECTION 1990. 71.07 (5j) of the statutes is created to read:

71.07 (5j) ETHANOL AND BIODIESEL FUEL PUMP CREDIT. (a) Definitions. In this subsection:
1. “Biodiesel fuel” has the meaning given in s. 168.14 (2m) (a).
2. “Claimant” means a person who files a claim under this subsection.
3. “Motor vehicle fuel” has the meaning given in s. 78.005 (13).

(b) Filing claims. Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2007, and before January 1, 2018, a claimant may claim as a credit against the taxes imposed under s. 71.02, up to the amount of the taxes, an amount that is equal to 25 percent of the amount that the claimant paid in the taxable year to install or retrofit pumps located in this state that dispense motor vehicle fuel consisting of at least 85 percent ethanol or at least 20 percent biodiesel fuel.

(c) Limitations. 1. The maximum amount of the credit that a claimant may claim under this subsection in a taxable year is an amount that is equal to $5,000 for each service station for which the claimant has installed or retrofitted pumps as described under par. (b).

2. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

(d) Administration. Section 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

SECTION 1990m. 71.07 (5k) of the statutes is created to read:
71.07 (5k) COMMUNITY REHABILITATION PROGRAM CREDIT. (a) Definitions. In this subsection:

1. “Claimant” means a person who files a claim under this subsection.

2. “Community rehabilitation program” means a nonprofit entity, county, municipality, or state or federal agency that directly provides, or facilitates the provision of, vocational rehabilitation services to individuals who have disabilities to maximize the employment opportunities, including career advancement, of such individuals.

3. “Vocational rehabilitation services” include education, training, employment, counseling, therapy, placement, and case management.

4. “Work” includes production, packaging, assembly, food service, custodial service, clerical service, and other commercial activities that improve employment opportunities for individuals who have disabilities.

(b) Filing claims. Subject to the limitations provided in this subsection, for taxable years beginning after July 1, 2009, a claimant may claim as a credit against the tax imposed under s. 71.02, up to the amount of those taxes, an amount equal to 5 percent of the amount the claimant paid in the taxable year to a community rehabilitation program to perform work for the claimant’s business, pursuant to a contract.

(c) Limitations. 1. The maximum amount of the credit that any claimant may claim under this subsection in a taxable year is $25,000 for each community rehabilitation program for which the claimant enters into a contract to have the community rehabilitation program perform work for the claimant’s business.

2. No credit may be claimed under this subsection unless the claimant submits with the claimant’s return a form, as prescribed by the department of revenue, that
verifies that the claimant has entered into a contract with a community
rehabilitation program and that the program has received payment from the
claimant for work provided by the program, consistent with par. (b).

3. Partnerships, limited liability companies, and tax−option corporations may
not claim the credit under this subsection, but the eligibility for, and the amount of,
the credit are based on their payment of amounts under par. (b). A partnership,
limited liability company, or tax−option corporation shall compute the amount of
credit that each of its partners, members, or shareholders may claim and shall
provide that information to each of them. Partners, members of limited liability
companies, and shareholders of tax−option corporations may claim the credit in
proportion to their ownership interests.

(d) Administration. Section 71.28 (4) (e) to (h), as it applies to the credit under
s. 71.28 (4), applies to the credit under this subsection.

**SECTION 1990m.** 71.07 (6e) (a) 2. a. of the statutes is amended to read:

71.07 (6e) (a) 2. a. An individual who had served on active duty in the U.S.
army, army, or in forces incorporated as part of the U.S. armed forces, who was a
resident of this state at the time of entry into that active service, or who had been a
resident of this state for any consecutive 5−year period after entry into that active
duty service; and who, while a resident of this state, died while on active duty.

**SECTION 1990sc.** 71.07 (6e) (a) 2. b. of the statutes is amended to read:

71.07 (6e) (a) 2. b. An individual who had served on active duty under
honorable conditions in the U.S. armed forces or in forces incorporated as part of the
U.S. armed forces; who was a resident of this state at the time of entry into that active
service; who was at least 65 years of age at the time of his or her death or would have
been 65 years of age at the close of the year in which the death occurred or who had
been a resident of this state for any consecutive 5-year period after entry into that active duty service; who was a resident of this state at the time of his or her death; and who had either a service-connected disability rating of 100 percent under 38 USC 1114 or 1134 or a 100 percent disability rating based on individual unemployability.

**SECTION 1990sc.** 71.07 (6e) (a) 2. c. of the statutes is amended to read:

71.07 (6e) (a) 2. c. An individual who had served in the national guard or a reserve component of the U.S. armed forces; who was a resident of this state at the time of entry into that service, or who had been a resident of this state for any consecutive 5-year period after entry into that service; and who, while a resident of this state, died in the line of duty while on active or inactive duty for training purposes.

**SECTION 1990sg.** 71.07 (6e) (a) 3. (intro.) of the statutes is amended to read:

71.07 (6e) (a) 3. (intro.) “Eligible veteran” means an individual who is at least 65 years of age and who is verified by the department of veterans affairs as meeting all of the following conditions:

**SECTION 1990si.** 71.07 (6e) (a) 3. b. of the statutes is amended to read:

71.07 (6e) (a) 3. b. Was a resident of this state at the time of entry into that active service or had been a resident of this state for any consecutive 5-year period after entry into that service.

**SECTION 1990sk.** 71.07 (6e) (a) 3. d. of the statutes is amended to read:

71.07 (6e) (a) 3. d. Has either a service-connected disability rating of 100 percent under 38 USC 1114 or 1134 or a 100 percent disability rating based on individual unemployability.

**SECTION 1990sm.** 71.07 (6e) (a) 3e. of the statutes is created to read:
71.07 (6e) (a) 3e. “Individual unemployability” means a condition under which a veteran has a service-connected disability rating of either 60 percent under 38 USC 1114 or 1134 or two or more service-connected disability conditions where one condition has at least a 40 percent scheduler rating and the combined scheduler rating for all conditions is at least 70 percent, and has an administrative adjustment added to his or her service-connected disability, due to individual unemployability, such that the federal Department of Veterans Affairs rates the veteran 100 percent disabled.

Section 1991. 71.08 (1) (intro.) of the statutes is amended to read:

71.08 (1) Imposition. (intro.) If the tax imposed on a natural person, married couple filing jointly, trust, or estate under s. 71.02, not considering the credits under ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2fd), (3e), (3m), (3n), (3p), (3s), (3t), (3w), (5b), (5d), (5e), (6), (6e), and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd), (2m), (3), (3n), (3t), and (3w), and 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd), (2m), (3), (3n), (3t), and (3w), and subchs. VIII and IX and payments to other states under s. 71.07 (7), is less than the tax under this section, there is imposed on that natural person, married couple filing jointly, trust or estate, instead of the tax under s. 71.02, an alternative minimum tax computed as follows:

Section 1991h. 71.10 (4) (cn) of the statutes is created to read:

71.10 (4) (cn) Biodiesel fuel production credit under s. 71.07 (3h).

Section 1992m. 71.10 (4) (es) of the statutes is created to read:

71.10 (4) (es) Community rehabilitation program credit under s. 71.07 (5k).

Section 1993. 71.10 (4) (gc) of the statutes is created to read:

71.10 (4) (gc) Ethanol and biodiesel fuel pump credit under s. 71.07 (5j).
1  **SECTION 1994.** 71.10 (4) (gxx) of the statutes is created to read:

2  71.10 (4) (gxx) Electronic medical records credit under s. 71.07 (5i).

3  **SECTION 1994h.** 71.10 (4) (i) of the statutes is amended to read:

4  71.10 (4) (i) The total of claim of right credit under s. 71.07 (1), farmland
5  preservation credit under subch. IX, homestead credit under subch. VIII, farmland
6  tax relief credit under s. 71.07 (3m), farmers’ drought property tax credit under s.
7  71.07 (2fd), *dairy manufacturing facility investment credit under s. 71.07 (3p)*, film
8  production services credit under s. 71.07 (5f) (b) 2., veterans and surviving spouses
9  property tax credit under s. 71.07 (6e), enterprise zone jobs credit under s. 71.07 (3w),
10  earned income tax credit under s. 71.07 (9e), estimated tax payments under s. 71.09,
11  and taxes withheld under subch. X.

12  **SECTION 1995.** 71.10 (5) (g) of the statutes is amended to read:

13  71.10 (5) (g) *Tax return.* The secretary of revenue shall provide a place for the
14  designations under this subsection on the individual income tax return and, on forms
15  printed by the department of revenue, the secretary shall highlight that place on the
16  return by a symbol chosen by the department of revenue that relates to endangered
17  resources.

18  **SECTION 1996.** 71.10 (5e) (g) of the statutes is amended to read:

19  71.10 (5e) (g) *Tax return.* The secretary of revenue shall provide a place for the
20  designations under this subsection on the individual income tax return, and on
21  forms printed by the department of revenue, the secretary shall highlight that place
22  on the return by a symbol chosen by the department that relates to a football
23  stadium, as defined in s. 229.821 (6).

24  **SECTION 1997.** 71.21 (4) of the statutes is amended to read:
71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),
(2dj), (2dL), (2dm), (2dx), (3g), (3h), (3n), (3p), (3s), (3t), (3w), (5b), (5e), (5f),
(5g), and (5h), (5i), (5j), and (5k) and passed through to partners shall be added to the
partnership's income.

SECTION 1998. 71.22 (4) (L) of the statutes is repealed.

SECTION 1999. 71.22 (4) (m) of the statutes is repealed.

SECTION 2000. 71.22 (4) (n) of the statutes is amended to read:

71.22 (4) (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
(1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
December 31, 1998, and before January 1, 2000, means the federal Internal
Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and
110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L.
107–16, P.L. 107–134, P.L. 107–147, excluding sections 101, 301 (a), and 406 of P.L.
108–311, and P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422,
105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of
P.L. 109–135, and P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, and
as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,
P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),
821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 
excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 
107-134, P.L. 107-147, excluding sections 101, 301 (a), and 406 of P.L. 107-147, P.L. 
108-311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108-311, and 
P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 
it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, 
Revenue Code applies for Wisconsin purposes at the same time as for federal 
purposes. Amendments to the federal Internal Revenue Code enacted after 
December 31, 1998, do not apply to this paragraph with respect to taxable years 
beginning after December 31, 1998, and before January 1, 2000, except that 
changes to the Internal Revenue Code made by P.L. 106-36, P.L. 106-170, P.L. 
106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, 
excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 
101, 301 (a), and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-276, P.L. 108-121, 
316, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201,
SECTION 2000


SECTION 2001. 71.22 (4) (o) of the statutes is amended to read:

SECTION 2001

101, 301 (a), and 406 of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L. 107−276, P.L.
108−121, excluding section 109 of P.L. 108−121, P.L. 108−218, P.L. 108−311,
excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108−311, and P.L.
108−357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910
of P.L. 108−357, P.L. 109−7, P.L. 109−58, excluding sections 1305, 1308, 1309, 1310,
1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109−58, P.L. 109−135,
excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
(j), and (q), and 405 of P.L. 109−135, and P.L. 109−280, excluding sections 811 and 844
of P.L. 109−280, apply for Wisconsin purposes at the same time as for federal
purposes.

SECTION 2002. 71.22 (4) (p) of the statutes is amended to read:

71.22 (4) (p) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
(1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
December 31, 2002, and before January 1, 2004, means the federal Internal Revenue
Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.
102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66,
sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 106−519,
sections 162 and 165 of P.L. 106−554, P.L. 106−573, section 431 of P.L. 107−16, and
section sections 101 and 301 (a) of P.L. 107−147, and as amended by P.L. 108−27,
excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, excluding section
403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 211, 242, 244, 336,
109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
1329, 1348, and 1351 of P.L. 109–58, P.L. 109–135, excluding sections 101, 105, 201
(a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
109–135, and P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, and as
indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
(b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
307, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101,
201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, and P.L. 108–375,
P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–135, excluding sections
101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405
The Internal Revenue Code applies for Wisconsin purposes at the same time as for
federal purposes. Amendments to the federal Internal Revenue Code enacted after
December 31, 2002, do not apply to this paragraph with respect to taxable years
beginning after December 31, 2002, and before January 1, 2004, except that changes
to the Internal Revenue Code made by P.L. 108–27, excluding sections 106, 201, and
excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L.
109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
(e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections
811 and 844 of P.L. 109–280, and changes that indirectly affect the provisions
applicable to this subchapter made by P.L. 108–27, excluding sections 106, 201, and
excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L.
109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
(e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections
811 and 844 of P.L. 109–280, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2002. 71.22 (4) (q) of the statutes is amended to read:

1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
(q), and 405 of P.L. 109–135, P.L. 109–227, and P.L. 109–280, excluding sections 811
and 844 of P.L. 109–280, and changes that indirectly affect the provisions applicable
sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L.
1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L.
109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101,
105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of
109–280, apply for Wisconsin purposes at the same time as for federal purposes.

**Section 2003.** 71.22 (4) (r) of the statutes is amended to read:

71.22 (4) (r) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
(1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
December 31, 2004, and before January 1, 2006, means the federal Internal Revenue
Code as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L.
102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,
431 of P.L. 107–16, section sections 101 and 301 (a) of P.L. 107–147, sections 106, 201,
403 (a) of P.L. 108−311, and sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909,
and 910 of P.L. 108−357, and as amended by P.L. 109−7, P.L. 109−58, excluding
sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351
of P.L. 109−58, P.L. 109−73, excluding section 301 of P.L. 109−73, P.L. 109−135,
excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
(j), and (q), and 405 of P.L. 109−135, P.L. 109−151, P.L. 109−222, excluding sections
excluding sections 811 and 844 of P.L. 109−280, and as indirectly affected in the
provisions applicable to this subchapter by P.L. 99−514, P.L. 100−203, P.L. 100−647,
excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)
of P.L. 99−514 and section 1008 (g) (5) of P.L. 100−647, P.L. 101−73, P.L. 101−140, P.L.
101−179, P.L. 101−239, P.L. 101−508, P.L. 102−227, excluding sections 103, 104, and
13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66, P.L. 103−296, P.L.
103−337, P.L. 103−465, P.L. 104−7, P.L. 104−188, excluding sections 1123 (b), 1202
(c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L.
106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554,
107−116, P.L. 107−134, P.L. 107−147, excluding section sections 101 and 301 (a) of
excluding sections 106, 201, and 202 of P.L. 108−27, P.L. 108−121, P.L. 108−173,
excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108−311, P.L. 108−357,
excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
SECTION 2005. 71.22 (4) (s) of the statutes is created to read:

excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it
relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.
109–280. The Internal Revenue Code applies for Wisconsin purposes at the same
time as for federal purposes. Amendments to the federal Internal Revenue Code
enacted after December 31, 2005, do not apply to this paragraph with respect to
taxable years beginning after December 31, 2005, and before January 1, 2007,
except that changes to the Internal Revenue Code made by P.L. 109–222, excluding
109–280, excluding sections 811 and 844 of P.L. 109–280, and changes that indirectly
affect the provisions applicable to this subchapter made by P.L. 109–222, excluding
109–280, excluding sections 811 and 844 of P.L. 109–280, apply for Wisconsin
purposes at the same time as for federal purposes.

**SECTION 2006.** 71.22 (4) (t) of the statutes is created to read:

71.22 (4) (t) Except as provided in sub. (4m) and ss. 71.26 (3), 71.34 (1g), and
71.42 (2), “Internal Revenue Code,” for taxable years that begin after
December 31, 2006, means the federal Internal Revenue Code as amended to
December 31, 2006, excluding sections 103, 104, and 110 of P.L. 102–227, sections
13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),
1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.
107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L.
108–311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.
109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
(j), and (q), and 405 of P.L. 109–135, sections 101, 207, 209, 503, 512, and 513 of P.L.
109–222, sections 811 and 844 of P.L. 109–280, and P.L. 109–432, and as indirectly
affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and
823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.
sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it
relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.
109–280. The Internal Revenue Code applies for Wisconsin purposes at the same
time as for federal purposes. Amendments to the federal Internal Revenue Code
enacted after December 31, 2006, do not apply to this paragraph with respect to
taxable years beginning after December 31, 2006.

**Section 2007.** 71.22 (4m) (j) of the statute is repealed.

**Section 2008.** 71.22 (4m) (k) of the statute is repealed.

**Section 2009.** 71.22 (4m) (L) of the statute is amended to read:
71.22 (4m) (L) For taxable years that begin after December 31, 1998, and
before January 1, 2000, “Internal Revenue Code”, for corporations that are subject
to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
Internal Revenue Code as amended to December 31, 1998, excluding sections 103,
104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
(d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431
of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101, 301 (a), and 406
of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336,
sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
(q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections 811 and 844 of P.L.
109–280, and as indirectly affected in the provisions applicable to this subchapter
(d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–7, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 2010.** 71.22 (4m) (m) of the statutes is amended to read:

SECTION 2011. 71.22 (4m) (n) of the statutes is amended to read:

107–134, P.L. 107–147, excluding section sections 101 and 301 (a) of P.L. 107–147,
108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847,
sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351
of P.L. 109–58, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to
section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L.
109–280, excluding sections 811 and 844 of P.L. 109–280. The Internal Revenue Code
applies for Wisconsin purposes at the same time as for federal purposes.
Amendments to the Internal Revenue Code enacted after December 31, 2002, do not
apply to this paragraph with respect to taxable years beginning after
December 31, 2002, and before January 1, 2004, except that changes to the Internal
Revenue Code made by P.L. 108–27, excluding sections 106, 201, and 202 of P.L.
sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, and
1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–135,
excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
(j), and (q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844
of P.L. 109-280, and changes that indirectly affect the provisions applicable to this
subchapter made by P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27,
101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, and P.L.
108-375, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323,
1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-135, excluding
sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
(q), and 405 of P.L. 109-135, and P.L. 109-280, excluding sections 811 and 844 of P.L.
109-280, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2012. 71.22 (4m) (o) of the statutes is amended to read:

71.22 (4m) (o) For taxable years that begin after December 31, 2003, and
before January 1, 2005, “Internal Revenue Code,” for corporations that are subject
to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
Internal Revenue Code as amended to December 31, 2003, excluding sections 103,
104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
(d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
431 of P.L. 107-16, section sections 101 and 301 (a) of P.L. 107-147, sections 106, 201,
307, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101,
109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section
1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–227, and P.L.
109–280, excluding sections 811 and 844 of P.L. 109–280. The Internal Revenue Code
applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2003, do not
apply to this paragraph with respect to taxable years beginning after
December 31, 2003, and before January 1, 2005, except that changes to the Internal
101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L.
1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L.
109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101,
105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of
109–280, and changes that indirectly affect the provisions applicable to this
101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L.
1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L.
109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101,
105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of
109–280, apply for Wisconsin purposes at the same time as for federal purposes.
SECTION 2013. 71.22 (4m) (p) of the statutes is amended to read:

106−554, excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16,
107−147, excluding section sections 101 and 301 (a) of P.L. 107−147, P.L. 107−181,
401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101, 201, 211, 242,
244, 336, 337, 422, 847, 909, and 910 of P.L. 108−357, P.L. 108−375, and P.L. 108−476,
P.L. 109−7, P.L. 109−58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
1326, 1328, 1329, 1348, and 1351 of P.L. 109−58, P.L. 109−73, excluding section 301
of P.L. 109−73, P.L. 109−135, excluding sections 101, 105, 201 (a) as it relates to
section 1400S (a), 402 (e), 403 (e), (i), and (q), and 405 of P.L. 109−135, P.L. 109−151,
109−227, and P.L. 109−280, excluding sections 811 and 844 of P.L. 109−280. The
Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
purposes. Amendments to the Internal Revenue Code enacted after December 31,
2004, do not apply to this paragraph with respect to taxable years beginning after
December 31, 2004, and before January 1, 2006, except that changes to the Internal
Revenue Code made by P.L. 109−7, P.L. 109−58, excluding sections 1305, 1308, 1309,
1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109−58, P.L. 109−73,
excluding section 301 of P.L. 109−73, P.L. 109−135, excluding sections 101, 105, 201
(a) as it relates to section 1400S (a), 402 (e), 403 (e), (i), and (q), and 405 of P.L.
109−135, P.L. 109−151, P.L. 109−222, excluding sections 101, 207, 209, 503, 512, and
of P.L. 109–280, and changes that indirectly affect the provisions applicable to this

SECTION 2014. 71.22 (4m) (q) of the statutes is created to read:

109–280, and as indirectly affected in the provisions applicable to this subchapter
(d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L.
308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201,
1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding
109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
(e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding
109–280, excluding sections 811 and 844 of P.L. 109–280. The Internal Revenue Code
applies for Wisconsin purposes at the same time as for federal purposes.

**SECTION 2015.** 71.22 (4m) (r) of the statutes is created to read:

affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
(a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337,
109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
(q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,
sections 811 and 844 of P.L. 109–280. The Internal Revenue Code applies for
Wisconsin purposes at the same time as for federal purposes. Amendments to the
Internal Revenue Code enacted after December 31, 2006, do not apply to this paragraph with respect to taxable years beginning after December 31, 2006.

**SECTION 2016.** 71.22 (5m) of the statutes is renumbered 71.22 (5m) (a).

**SECTION 2017.** 71.22 (5m) (b) of the statutes is created to read:

71.22 (5m) (b) Notwithstanding subs. (4) and (4m), section 101 of P.L. 109−222, related to extending the increased expense deduction under section 179 of the Internal Revenue Code, applies to property used in farming that is acquired and placed in service in taxable years beginning on or after January 1, 2008, and used by a person who is actively engaged in farming. For purposes of this paragraph, “actively engaged in farming” has the meaning given in 7 CFR 1400.201, and “farming” has the meaning given in section 464 (e) (1) of the Internal Revenue Code.

**SECTION 2017d.** 71.22 (9a) of the statutes is created to read:

71.22 (9a) “Qualified real estate investment trust” means a real estate investment trust, except a real estate investment trust of which more than 50 percent of the voting power or value of the beneficial interests or shares are owned or controlled, directly or indirectly, by a single entity that is subject to sections 301 to 385 of the Internal Revenue Code, that is not exempt under s. 71.26 (1), and that is not a real estate investment trust or a qualified real estate trust subsidiary under section 856 (i) of the Internal Revenue Code.

**SECTION 2017f.** 71.22 (9c) of the statutes is created to read:

71.22 (9c) “Real estate investment trust” means a real estate investment trust under section 856 of the Internal Revenue Code.

**SECTION 2017g.** 71.22 (9d) of the statutes is created to read:

71.22 (9d) “Real estate mortgage investment conduit” means a real estate mortgage investment conduit under section 860D of the Internal Revenue Code.
**SECTION 2017h.** 71.22 (9e) of the statutes is created to read:

> 71.22 (9e) “Regulated investment company” means a regulated investment company under section 851 of the Internal Revenue Code.

**SECTION 2018.** 71.24 (7) of the statutes is amended to read:

> 71.24 (7) **Extensions.** In the case of a corporation required to file a return, when sufficient reason is shown, the department of revenue may on written request 
shall allow an **automatic** extension of 30 days 7 months or until the original due date of the corporation’s corresponding federal return, whichever is later, if the corporation has not received an extension on its federal return. Any extension of time granted by law or by the internal revenue service for the filing of corresponding federal returns shall extend the time for filing under this subchapter to 30 days after the federal due date if a copy of any extension requested of the internal revenue service is filed with the corporation reports the extension in the manner specified by the department on the return. Termination of an automatic extension by the internal revenue service, or its refusal to grant such automatic extension, shall similarly require that any returns due under this subchapter are due on or before 30 days after the date for termination fixed by the internal revenue service. Except for payments of estimated taxes, income or franchise taxes payable upon the filing of the tax return shall not become delinquent during such extension period, but shall be subject to interest at the rate of 12% per year during such period.

**SECTION 2019.** 71.26 (1) (am) of the statutes is created to read:

> 71.26 (1) (am) **Veterans service organizations.** Income of a veterans service organization that is chartered under federal law.

**SECTION 2020.** 71.26 (1) (b) of the statutes is amended to read:
71.26 (1) (b) Political units. Income received by the United States, the state and all counties, cities, villages, towns, school districts, technical college districts, joint local water authorities created under s. 66.0823, family long-term care districts under s. 46.2895 or other political units of this state.

SECTION 2021e. 71.26 (1) (g) of the statutes is created to read:

71.26 (1) (g) For taxable years beginning after December 31, 2006, the amount of any incentive payment received by an individual under s. 23.33 (5r) in the taxable year to which the claim relates.

SECTION 2021m. 71.26 (1m) (i) of the statutes is created to read:

71.26 (1m) (i) Those issued under s. 231.03 (6), on or after the effective date of this paragraph .... [revisor inserts date], if the proceeds from the obligations that are issued are used by a health facility, as defined in s. 231.01 (5), to fund the acquisition of information technology hardware or software.

SECTION 2022. 71.26 (2) (a) of the statutes is amended to read:

71.26 (2) (a) Corporations in general. The “net income” of a corporation means the gross income as computed under the Internal Revenue Code as modified under sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit computed under s. 71.28 (1), (3), (4), and (5) minus, as provided under s. 71.28 (3) (c) 7., the amount of the credit under s. 71.28 (3) that the taxpayer added to income under this paragraph at the time that the taxpayer first claimed the credit plus the amount of the credit computed under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), (3g), (3h), (3n), (3p), (3t), (3w), (5b), (5e), (5f), (5g), and (5h), (5i), (5j), and (5k) and not passed through by a partnership, limited liability company, or tax-option corporation that has added that amount to the partnership’s, limited liability company’s, or tax-option corporation’s income under s. 71.21 (4) or 71.34 (1)
(g) plus the amount of losses from the sale or other disposition of assets the gain from
which would be wholly exempt income, as defined in sub. (3) (L), if the assets were
sold or otherwise disposed of at a gain and minus deductions, as computed under the
Internal Revenue Code as modified under sub. (3), plus or minus, as appropriate, an
amount equal to the difference between the federal basis and Wisconsin basis of any
asset sold, exchanged, abandoned, or otherwise disposed of in a taxable transaction
during the taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).

**SECTION 2023d.** 71.26 (2) (b) of the statutes is repealed and recreated to read:

71.26 (2) (b) Regulated investment companies, real estate investment trusts,
and real estate mortgage investment conduits. 1. In this paragraph, except as
provided in subds. 2. to 4., “net income” means one of the following:

a. That part of the federal regulated investment company income that is subject
to federal tax as provided in sections 851 and 852 of the Internal Revenue Code,
including federal undistributed net capital gain.

b. That part of the federal real estate investment trust income that is subject
to federal tax as provided in sections 856 and 857 of the Internal Revenue Code,
including federal undistributed net capital gain, federal net income from foreclosure
property, and federal net income derived from prohibited transactions. The
treatment of certain wholly owned subsidiaries under section 856 (i) of the Internal
Revenue Code shall apply in computing the net income of a real estate investment
trust.

c. That part of the federal real estate mortgage investment conduit income that
is subject to federal tax, including federal net income derived from prohibited
transactions under section 860F of the Internal Revenue Code and federal net
income from foreclosure property under section 860G of the Internal Revenue Code.
2. Property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be
depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as
amended to December 31, 1980, shall continue to be depreciated under the Internal
Revenue Code as amended to December 31, 1980.

3. With regard to federal regulated investment company income, federal real
estate investment trust income, and federal real estate mortgage investment conduit
income, the appropriate amount shall be added or subtracted to reflect differences
between the depreciation or adjusted basis for federal income tax purposes and the
depreciation or adjusted basis under this chapter of any property disposed of during
the taxable year.

4. The dividend paid deduction otherwise allowed by federal law in computing
net income of a real estate investment trust that is subject to federal income tax shall
be added back in computing the tax imposed under this chapter unless the real estate
investment trust is a qualified real estate investment trust.

SECTION 2032. 71.26 (3) (s) of the statutes is amended to read:

71.26 (3) (s) Sections 951 to 964 (relating to controlled foreign corporations) are
excluded, and, for taxable years beginning on or after January 1, 2006, sections 951
to 965 (relating to controlled foreign corporations) are excluded.

SECTION 2034. 71.28 (1dx) (a) 5. of the statutes is amended to read:

71.28 (1dx) (a) 5. “Member of a targeted group” means a person who resides
in an area designated by the federal government as an economic revitalization area,
a person who is employed in an unsubsidized job but meets the eligibility
requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work,
real pay project position under s. 49.147 (3m), a person who is eligible for child care
assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
economically disadvantaged youth, an economically disadvantaged veteran, a
supplemental security income recipient, a general assistance recipient, an
economically disadvantaged ex-convict, a qualified summer youth employee, as
defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
(am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

**SECTION 2035.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

71.28 (1dx) (b) 2. The amount determined by multiplying the amount
determined under s. 560.785 (1) (b) by the number of full-time jobs created in a
development zone and filled by a member of a targeted group and by then subtracting
the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid
under s. 49.147 (3m) (c) for those jobs.

**SECTION 2036.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

71.28 (1dx) (b) 3. The amount determined by multiplying the amount
determined under s. 560.785 (1) (c) by the number of full-time jobs created in a
development zone and not filled by a member of a targeted group and by then
subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
reimbursements paid under s. 49.147 (3m) (c) for those jobs.

**SECTION 2037.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

71.28 (1dx) (b) 4. The amount determined by multiplying the amount
determined under s. 560.785 (1) (bm) by the number of full-time jobs retained, as
provided in the rules under s. 560.785, excluding jobs for which a credit has been
claimed under sub. (1dj), in an enterprise development zone under s. 560.797 and for
which significant capital investment was made and by then subtracting the
subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

**SECTION 2038.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

71.28 (1dx) (b) 5. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

**SECTION 2038h.** 71.28 (3h) of the statutes is created to read:

71.28 (3h) **BIODEisel FUEL PRODUCTION CREDIT.** (a) **Definitions.** In this subsection:

1. “Biodiesel fuel” has the meaning given in s. 168.14 (2m) (a).

2. “Claimant” means a person who is engaged in the business of producing biodiesel fuel in this state and who files a claim under this subsection.

(b) **Filing claims.** Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2009, and before January 1, 2013, for a claimant who produces at least 2,500,000 gallons of biodiesel fuel in this state in the taxable year, a claimant may claim as a credit against the tax imposed under s. 71.23, up to the amount of the tax, an amount that is equal to the number of gallons of biodiesel fuel produced by the claimant in this state in the taxable year multiplied by 10 cents.

(c) **Limitations.** 1. The maximum amount of the credit that a claimant may claim under this subsection in a taxable year is $1,000,000.
2. Partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their biodiesel fuel production, as described under par. (b). A partnership, limited liability company, or tax−option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit in proportion to their ownership interests.

(d) Administration. Subsection (4) (e) to (h) as it applies to the credit under sub. (4), applies to the credit under this subsection.

SECTION 2039. 71.28 (3p) of the statutes is created to read:

71.28 (3p) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT. (a) Definitions. In this subsection:

1. “Claimant” means a person who files a claim under this subsection.

2. “Dairy manufacturing” means processing milk into dairy products or processing dairy products for sale commercially.

3. “Dairy manufacturing modernization or expansion” means constructing, improving, or acquiring buildings or facilities, or acquiring equipment, for dairy manufacturing, including the following, if used exclusively for dairy manufacturing and if acquired and placed in service in this state during taxable years that begin after December 31, 2006, and before January 1, 2015:

   a. Building construction, including storage and warehouse facilities.

   b. Building additions.

   c. Upgrades to utilities, including water, electric, heat, and waste facilities.

   d. Milk intake and storage equipment.
e. Processing and manufacturing equipment, including pipes, motors, pumps, valves, pasteurizers, homogenizers, vats, evaporators, dryers, concentrators, and churns.

f. Packaging and handling equipment, including sealing, bagging, boxing, labeling, conveying, and product movement equipment.

g. Warehouse equipment, including storage racks.

h. Waste treatment and waste management equipment, including tanks, blowers, separators, dryers, digesters, and equipment that uses waste to produce energy, fuel, or industrial products.

i. Computer software and hardware used for managing the claimant’s dairy manufacturing operation, including software and hardware related to logistics, inventory management, and production plant controls.

4. “Used exclusively” means used to the exclusion of all other uses except for use not exceeding 5 percent of total use.

(b) Filing claims. Subject to the limitations provided in this subsection and s. 560.207, for taxable years beginning after December 31, 2006, and before January 1, 2015, a claimant may claim as a credit against the taxes imposed under s. 71.23, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for dairy manufacturing modernization or expansion related to the claimant’s dairy manufacturing operation.

(c) Limitations. 1. No credit may be allowed under this subsection for any amount that the claimant paid for expenses described under par. (b) that the claimant also claimed as a deduction under section 162 of the Internal Revenue Code.

2. The aggregate amount of credits that a claimant may claim under this subsection is $200,000.
2m. a. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2007–08 is $600,000, as allocated under s. 560.207.

b. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2008–09, and in each fiscal year thereafter, is $700,000, as allocated under s. 560.207.

3. Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of expenses under par. (b), except that the aggregate amount of credits that the entity may compute shall not exceed $200,000. A partnership, limited liability company, or tax-option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interest.

4. If 2 or more persons own and operate the dairy manufacturing operation, each person may claim a credit under par. (b) in proportion to his or her ownership interest, except that the aggregate amount of the credits claimed by all persons who own and operate the dairy manufacturing operation shall not exceed $200,000.

(d) Administration. 1. Subsection (4) (e), (g), and (h), as it applies to the credit under sub. (4), applies to the credit under this subsection.

2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under s. 71.23 or no tax is due under s. 71.23, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department.
of administration for payment by check, share draft, or other draft drawn from the
appropriation account under s. 20.835 (2) (bn).

**SECTION 2040.** 71.28 (3w) (a) 5m. of the statutes is created to read:

71.28 (3w) (a) 5m. “Wages” means wages under section 3306 (b) of the Internal
Revenue Code, determined without regard to any dollar limitations.

**SECTION 2041.** 71.28 (3w) (a) 6. of the statutes is amended to read:

71.28 (3w) (a) 6. “Zone payroll” means the amount of state payroll that is
attributable to compensation wages paid to individuals full-time employees for
services that are performed in an enterprise zone. “Zone payroll” does not include
the amount of compensation wages paid to any individuals full-time employees that
exceeds $100,000.

**SECTION 2042.** 71.28 (3w) (b) 1. a. of the statutes is amended to read:

71.28 (3w) (b) 1. a. The claimant’s zone payroll in the taxable year, minus the
claimant’s zone payroll number of full-time employees whose annual wages are
greater than $30,000 and who the claimant employed in the enterprise zone in the
taxable year, minus the number of full-time employees whose annual wages were
greater than $30,000 and who the claimant employed in the area that comprises the
enterprise zone in the base year.

**SECTION 2043.** 71.28 (3w) (b) 1. b. of the statutes is amended to read:

71.28 (3w) (b) 1. b. The claimant’s state payroll in the taxable year, minus the
claimant’s state payroll number of full-time employees whose annual wages are
greater than $30,000 and who the claimant employed in the state in the taxable year,
minus the number of full-time employees whose annual wages were greater than
$30,000 and who the claimant employed in the state in the base year.

**SECTION 2044.** 71.28 (3w) (b) 2. of the statutes is amended to read:
71.28 (3w) (b) 2. Subtract the number of determined claimant’s average zone payroll by dividing total wages for full-time employees that whose annual wages are greater than $30,000 and who the claimant employed in the area that comprises the enterprise zone in the base taxable year from by the number of full-time employees that whose annual wages are greater than $30,000 and who the claimant employed in the enterprise zone in the taxable year.

SECTION 2045. 71.28 (3w) (b) 3. of the statutes is amended to read:

71.28 (3w) (b) 3. Multiply Subtract $30,000 from the amount determined under subd. 2., but not an amount less than zero, by $30,000.

SECTION 2046. 71.28 (3w) (b) 4. of the statutes is amended to read:

71.28 (3w) (b) 4. Subtract Multiply the amount determined under subd. 3. from by the amount determined under subd. 1.

SECTION 2047. 71.28 (3w) (bm) (intro.) and 4. of the statutes are g consolidated, renumbered 71.28 (3w) (bm) and amended to read:

71.28 (3w) (bm) Filing supplemental claims. In addition to the credit under par. (b) and subject to the limitations provided in this subsection and s. 560.799, a claimant may claim as a credit against the tax imposed under s. 71.23 an amount equal to all of the following: 4. The amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant’s full-time employees, to train any of the claimant’s full-time employees on the use of job-related new technologies, or to train provide job-related training to any full-time employee whose employment with the claimant represents the employee’s first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 2048. 71.28 (3w) (bm) 3. of the statutes is repealed.
SECTION 2049. 71.28 (3w) (d) of the statutes is amended to read:

71.28 (3w) (d) Administration. Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies to the credit under this subsection. Claimants shall include with their returns a copy of their certification for tax benefits, and a copy of the verification of their expenses, from the department of commerce.

SECTION 2050. 71.28 (5b) (c) 1. of the statutes is amended to read:

71.28 (5b) (c) 1. The Except as provided in s. 73.03 (63), the maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (5b) and 71.47 (5b) for all taxable years combined is $35,000,000 $52,500,000.

SECTION 2051. 71.28 (5b) (d) of the statutes is renumbered 71.28 (5b) (d) 1.

SECTION 2052. 71.28 (5b) (d) 2. of the statutes is created to read:

71.28 (5b) (d) 2. The Wisconsin adjusted basis of any investment for which a credit is claimed under par. (b) shall be reduced by the amount of the credit that is offset against Wisconsin income taxes. The Wisconsin basis of a partner’s interest in a partnership, a member’s interest in a limited liability company, or stock in a tax-option corporation shall be adjusted to reflect adjustments made under this subdivision.

SECTION 2053. 71.28 (5e) (b) of the statutes is amended to read:

71.28 (5e) (b) Filing claims. Subject to the limitations provided in this subsection and subject to 2005 Wisconsin Act 479, section 17, beginning in the first taxable year following the taxable year in which the claimant claims an exemption a deduction under s. 77.54 (48) 77.585 (9), a claimant may claim as a credit against the taxes imposed under s. 71.23, up to the amount of those taxes, in each taxable year for 2 years, the amount certified by the department of commerce that resulted
from the claimant claimed as an exemption claiming a deduction under s. 77.54 (48)

77.585 (9).

**SECTION 2054.** 71.28 (5e) (c) 1. of the statutes is amended to read:

71.28 (5e) (c) 1. No credit may be allowed under this subsection unless the claimant satisfies the requirements under s. 77.54 (48) 77.585 (9).

**SECTION 2055.** 71.28 (5e) (c) 3. of the statutes is amended to read:

71.28 (5e) (c) 3. The total amount of the credits and exemptions under s. 77.585 (9) that may be claimed by all claimants under this subsection and ss. 71.07 (5e), 71.47 (5e), and 77.54 (48) 77.585 (9) is $7,500,000, as determined by the department of commerce.

**SECTION 2056.** 71.28 (5h) (a) 4. of the statutes is amended to read:

71.28 (5h) (a) 4. “Previously owned property” means real property that the claimant or a related person owned during the 2 years prior to doing business in this state as a film production company and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 of the Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than 50 percent ownership, the claimant is subject to section 267 of the Internal Revenue Code for purposes of this subsection.

**SECTION 2057.** 71.28 (5h) (c) 2. of the statutes is amended to read:

71.28 (5h) (c) 2. A claimant may claim the credit under par. (b) 2. for an amount expended to construct, rehabilitate, remodel, or repair real property, if the claimant began the physical work of construction, rehabilitation, remodeling, or repair, or any demolition or destruction in preparation for the physical work, after December 31, 2007, or if and the completed project is placed in service after December 31, 2007.
SECTION 2058. 71.28 (5h) (c) 3. of the statutes is amended to read:

71.28 (5h) (c) 3. A claimant may claim the credit under par. (b) 2. for an amount expended to acquire real property, if the property is not previously owned property and if the claimant acquires the property after December 31, 2007, or if the completed project is placed in service after December 31, 2007.

SECTION 2059. 71.28 (5i) of the statutes is created to read:

71.28 (5i) ELECTRONIC MEDICAL RECORDS CREDIT. (a) Definitions. In this subsection, “claimant” means a person who files a claim under this subsection.

(b) Filing claims. Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the taxes imposed under s. 71.23, up to the amount of those taxes, an amount equal to 50 percent of the amount the claimant paid in the taxable year for information technology hardware or software that is used to maintain medical records in electronic form, if the claimant is a health care provider, as defined in s. 146.81 (1).

(c) Limitations. 1. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (5i) and 71.47 (5i) in a taxable year is $10,000,000, as allocated under s. 560.204.

2. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability
companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

(d) **Administration.** Subsection (4) (e) to (h), as it applies to the credit under sub. (4), applies to the credit under this subsection.

**SECTION 2060.** 71.28 (5j) of the statutes is created to read:

71.28 (5j) **Ethanol and biodiesel fuel pump credit.** (a) **Definitions.** In this subsection:

1. “Biodiesel fuel” has the meaning given in s. 168.14 (2m) (a).
2. “Claimant” means a person who files a claim under this subsection.
3. “Motor vehicle fuel” has the meaning given in s. 78.005 (13).

(b) **Filing claims.** Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2007, and before January 1, 2018, a claimant may claim as a credit against the taxes imposed under s. 71.23, up to the amount of the taxes, an amount that is equal to 25 percent of the amount that the claimant paid in the taxable year to install or retrofit pumps located in this state that dispense motor vehicle fuel consisting of at least 85 percent ethanol or at least 20 percent biodiesel fuel.

(c) **Limitations.** 1. The maximum amount of the credit that a claimant may claim under this subsection in a taxable year is an amount that is equal to $5,000 for each service station for which the claimant has installed or retrofitted pumps as described under par. (b).

2. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of
credit that each of its partners, members, or shareholders may claim and shall
provide that information to each of them. Partners, members of limited liability
companies, and shareholders of tax-option corporations may claim the credit in
proportion to their ownership interests.

(d) Administration. Subsection (4) (e) to (h), as it applies to the credit under
sub. (4), applies to the credit under this subsection.

SECTION 2060m. 71.28 (5k) of the statutes is created to read:

71.28 (5k) COMMUNITY REHABILITATION PROGRAM CREDIT. (a) Definitions. In this
subsection:

1. “Claimant” means a person who files a claim under this subsection.

2. “Community rehabilitation program” means a nonprofit entity, county,
municipality, or state or federal agency that directly provides, or facilitates the
provision of, vocational rehabilitation services to individuals who have disabilities
to maximize the employment opportunities, including career advancement, of such
individuals.

3. “Vocational rehabilitation services” include education, training,
employment, counseling, therapy, placement, and case management.

4. “Work” includes production, packaging, assembly, food service, custodial
service, clerical service, and other commercial activities that improve employment
opportunities for individuals who have disabilities.

(b) Filing claims. Subject to the limitations provided in this subsection, for
taxable years beginning after July 1, 2009, a claimant may claim as a credit against
the tax imposed under s. 71.23, up to the amount of those taxes, an amount equal to
5 percent of the amount the claimant paid in the taxable year to a community
rehabilitation program to perform work for the claimant’s business, pursuant to a contract.

(c) Limitations. 1. The maximum amount of the credit that any claimant may claim under this subsection in a taxable year is $25,000 for each community rehabilitation program for which the claimant enters into a contract to have the community rehabilitation program perform work for the claimant’s business.

2. No credit may be claimed under this subsection unless the claimant submits with the claimant’s return a form, as prescribed by the department of revenue, that verifies that the claimant has entered into a contract with a community rehabilitation program and that the program has received payment from the claimant for work provided by the program, consistent with par. (b).

3. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

(d) Administration. Subsection (4) (e) to (h), as it applies to the credit under sub. (4), applies to the credit under this subsection.

SECTION 2060n. 71.30 (3) (bn) of the statutes is created to read:

71.30 (3) (bn) Community rehabilitation program credit under s. 71.28 (5k).

SECTION 2060s. 71.30 (3) (cn) of the statutes is created to read:

71.30 (3) (cn) Biodiesel fuel production credit under s. 71.28 (3h).
SECTION 2062. 71.30 (3) (ed) of the statutes is created to read:

71.30 (3) (ed) Ethanol and biodiesel fuel pump credit under s. 71.28 (5j).

SECTION 2063. 71.30 (3) (epa) of the statutes is created to read:

71.30 (3) (epa) Electronic medical records credit under s. 71.28 (5i).

SECTION 2064. 71.30 (3) (epp) of the statutes is renumbered 71.30 (3) (eps) and amended to read:

71.30 (3) (eps) Film production services credit under s. 71.28 (5f) (b) 1. and 3.

SECTION 2065. 71.30 (3) (f) of the statutes is amended to read:

71.30 (3) (f) The total of farmers’ drought property tax credit under s. 71.28 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under s. 71.28 (2m), dairy manufacturing facility investment credit under s. 71.28 (3p), enterprise zone jobs credit under s. 71.28 (3w), film production services credit under s. 71.28 (5f) (b) 2., and estimated tax payments under s. 71.29.

SECTION 2066. 71.34 (1) (g) of the statutes is amended to read:

71.34 (1) (g) An addition shall be made for credits computed by a tax–option corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), (3), (3g), (3h), (3n), (3p), (3t), (3w), (5b), (5e), (5f), (5g), and (5h), (5i), (5j), and (5k) and passed through to shareholders.

SECTION 2067. 71.34 (1g) (L) of the statutes is repealed.

SECTION 2068. 71.34 (1g) (m) of the statutes is repealed.

SECTION 2069. 71.34 (1g) (n) of the statutes is amended to read:

71.34 (1g) (n) “Internal Revenue Code” for tax–option corporations, for taxable years that begin after December 31, 1998, and before January 1, 2000, means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and...
excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
(j), and (q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections 811 and 844
of P.L. 109–280, except that section 1366 (f) (relating to pass-through of items to
shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
at the same time as for federal purposes. Amendments to the federal Internal
Revenue Code enacted after December 31, 1998, do not apply to this paragraph with
respect to taxable years beginning after December 31, 1998, and before
January 1, 2000, except that changes to the Internal Revenue Code made by P.L.
107–147, excluding sections 101, 301 (a), and 406 of P.L. 107–147, P.L. 107–181, P.L.
excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108–311, and P.L.
108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910
relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and
P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, and changes that
indirectly affect the provisions applicable to this subchapter made by P.L. 106–36,
107–147, excluding sections 101, 301 (a), and 406 of P.L. 107–147, P.L. 107–181, P.L.
excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108–311, and P.L.
SECTION 2069. All: All: All

108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–7, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (i), and (q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2070. 71.34 (1g) (o) of the statutes is amended to read:

(B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
107–147, excluding sections 101, 301 (a), and 406 of P.L. 107–147, P.L. 107–181, P.L.
P.L. 108–311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108–311,
and P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909,
1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L.
109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
(e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections
811 and 844 of P.L. 109–280, except that section 1366 (f) (relating to pass-through
of items to shareholders) is modified by substituting the tax under s. 71.35 for the
taxes under sections 1374 and 1375. The Internal Revenue Code applies for
Wisconsin purposes at the same time as for federal purposes. Amendments to the
federal Internal Revenue Code enacted after December 31, 1999, do not apply to this
paragraph with respect to taxable years beginning after December 31, 1999, and
before January 1, 2003, except that changes to the Internal Revenue Code made by
P.L. 107–134, P.L. 107–147, excluding sections 101, 301 (a), and 406 of P.L. 107–147,
403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 211, 242, 244,
sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351
of P.L. 109–58, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to
section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L.
109–280, excluding sections 811 and 844 of P.L. 109–280, and changes that indirectly
affect the provisions applicable to this subchapter made by P.L. 106–230, P.L.
107–147, excluding sections 101, 301 (a), and 406 of P.L. 107–147, P.L. 107–181, P.L.
P.L. 108–311, excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108–311,
and P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909,
1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L.
109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
(e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections
811 and 844 of P.L. 109–280, apply for Wisconsin purposes at the same time as for federal purposes.

**SECTION 2071.** 71.34 (1g) (p) of the statutes is amended to read:


Section 2072. 71.34 (1g) (q) of the statutes is amended to read:

71.34 (1g) (q) “Internal Revenue Code” for tax-option corporations, for taxable years that begin after December 31, 2003, and before January 1, 2005, means the federal Internal Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section
431 of P.L. 107−16, section sections 101 and 301 (a) of P.L. 107−147, sections 106, 201,
and 202 of P.L. 108−27, section 109 of P.L. 108−121, and section 1201 of P.L. 108−173,
and as amended by P.L. 108−203, P.L. 108−218, P.L. 108−311, excluding sections 306,
307, 308, 316, 401, and 403 (a) of P.L. 108−311, P.L. 108−357, excluding sections 101,
201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108−357, P.L. 108−375,
and P.L. 108−476, P.L. 109−7, P.L. 109−58, excluding sections 1305, 1308, 1309, 1310,
1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109−58, P.L. 109−73,
excluding section 301 of P.L. 109−73, P.L. 109−135, excluding sections 101, 105, 201
(a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
109−280, and as indirectly affected in the provisions applicable to this subchapter
by P.L. 99−514, P.L. 100−203, P.L. 100−647, excluding sections 803 (d) (2) (B), 805 (d)
(2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L.
102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding
excluding section sections 101 and 301 (a) of P.L. 107−147, P.L. 107−181, P.L.
107−210, P.L. 107−276, P.L. 107−358, P.L. 108−27, excluding sections 106, 201, and
excluding sections 306, 307, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
(q), and 405 of P.L. 109–135, P.L. 109–227, and P.L. 109–280, excluding sections 811
and 844 of P.L. 109–280, except that section 1366 (f) (relating to pass-through of
items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes
under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin
purposes at the same time as for federal purposes. Amendments to the federal
Internal Revenue Code enacted after December 31, 2003, do not apply to this
paragraph with respect to taxable years beginning after December 31, 2003, and
before January 1, 2005, except that changes to the Internal Revenue Code made by
and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244,
109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–73, excluding section 301
of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to
section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–227,
and P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, and changes that
indirectly affect the provisions applicable to this subchapter made by P.L. 108–203,

**SECTION 2073.** 71.34 (1g) (r) of the statutes is amended to read:

by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375.


Section 2074. 71.34 (1g) (s) of the statutes is created to read:

71.34 (1g) (s) “Internal Revenue Code” for tax-option corporations, for taxable years that begin after December 31, 2005, and before January 1, 2007, means the federal Internal Revenue Code as amended to December 31, 2005, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and
13203 (d) of P.L. 103−66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
104−188, sections 1, 3, 4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554,
P.L. 106−573, section 431 of P.L. 107−16, sections 101 and 301 (a) of P.L. 107−147,
sections 106, 201, and 202 of P.L. 108−27, section 1201 of P.L. 108−173, sections 306,
308, 316, 401, and 403 (a) of P.L. 108−311, sections 101, 201, 211, 242, 244, 336, 337,
422, 847, 909, and 910 of P.L. 108−357, P.L. 109−1, sections 1305, 1308, 1309, 1310,
1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109−58, section 11146 of
P.L. 109−59, section 301 of P.L. 109−73, and sections 101, 105, 201 (a) as it relates
to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109−135, and as
amended by P.L. 109−222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.
109−280, and as indirectly affected in the provisions applicable to this subchapter
by P.L. 99−514, P.L. 100−203, P.L. 100−647, excluding sections 803 (d) (2) (B), 805 (d)
(2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99−514 and section 1008 (g) (5) of P.L.
102−486, P.L. 103−66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
104−188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
excluding sections 162 and 165 of P.L. 106−554, P.L. 107−15, P.L. 107−16, excluding
excluding sections 101 and 301 (a) of P.L. 107−147, P.L. 107−181, P.L. 107−210, P.L.
(a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337,
109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
(q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,
sections 811 and 844 of P.L. 109–280, except that section 1366 (f) (relating to
pass-through of items to shareholders) is modified by substituting the tax under s.
71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies
for Wisconsin purposes at the same time as for federal purposes. Amendments to the
federal Internal Revenue Code enacted after December 31, 2005, do not apply to this
paragraph with respect to taxable years beginning after December 31, 2005, and
before January 1, 2007, except that changes to the Internal Revenue Code made by
changes that indirectly affect the provisions applicable to this subchapter made by
Wisconsin purposes at the same time as for federal purposes.

SECTION 2075. 71.34 (1g) (t) of the statutes is created to read:

**SECTION 2076.** 71.34 (1m) of the statutes is renumbered 71.34 (1m) (a).

**SECTION 2077.** 71.34 (1m) (b) of the statutes is created to read:

71.34 (1m) (b) Notwithstanding sub. (1g), section 101 of P.L. 109–222, related to extending the increased expense deduction under section 179 of the Internal Revenue Code, applies to property used in farming that is acquired and placed in service in taxable years beginning on or after January 1, 2008, and used by a person
who is actively engaged in farming. For purposes of this paragraph, “actively
engaged in farming” has the meaning given in 7 CFR 1400.201, and “farming” has
the meaning given in section 464 (e) (1) of the Internal Revenue Code.

SECTION 2078. 71.42 (2) (k) of the statutes is repealed.

SECTION 2079. 71.42 (2) (L) of the statutes is repealed.

SECTION 2080. 71.42 (2) (m) of the statutes is amended to read:

71.42 (2) (m) For taxable years that begin after December 31, 1998, and before
January 1, 2000, “Internal Revenue Code” means the federal Internal Revenue Code
as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.
102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L.
107–16, P.L. 107–134, P.L. 107–147, excluding sections 101, 301 (a), and 406 of P.L.
108–311, and P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422,
105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of
P.L. 109–135, and P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, and
sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.

SECTION 2081. 71.42 (2) (n) of the statutes is amended to read:

of P.L. 108–357, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2082. 71.42 (2) (o) of the statutes is amended to read:

SECTION 2082

108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847,
sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351
of P.L. 109–58, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to
section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L.
109–280, excluding sections 811 and 844 of P.L. 109–280, and changes that indirectly
affect the provisions applicable to this subchapter made by P.L. 108–27, excluding
108–311, P.L. 108–357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847,
sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351
of P.L. 109–58, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to
section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and P.L.
109–280, excluding sections 811 and 844 of P.L. 109–280, apply for Wisconsin
purposes at the same time as for federal purposes.

SECTION 2083. 71.42 (2) (p) of the statutes is amended to read:

71.42 (2) (p) For taxable years that begin after December 31, 2003, and before
January 1, 2005, “Internal Revenue Code” means the federal Internal Revenue Code
as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L.
102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,
SECTION 2083. 71.42 (2) (q) of the statutes is amended to read:

1326, 1328, 1329, 1348, and 1351 of P.L. 109−58, P.L. 109−73, excluding section 301
of P.L. 109−73, P.L. 109−135, excluding sections 101, 105, 201 (a) as it relates to
section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109−135, P.L. 109−151,
109−227, and P.L. 109−280, excluding sections 811 and 844 of P.L. 109−280, and
changes that indirectly affect the provisions applicable to this subchapter made by
P.L. 109−7, P.L. 109−58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
1326, 1328, 1329, 1348, and 1351 of P.L. 109−58, P.L. 109−73, excluding section 301
of P.L. 109−73, P.L. 109−135, excluding sections 101, 105, 201 (a) as it relates to
section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109−135, P.L. 109−151,
109−227, and P.L. 109−280, excluding sections 811 and 844 of P.L. 109−280, apply for
Wisconsin purposes at the same time as for federal purposes.

**SECTION 2085.** 71.42 (2) (r) of the statutes is created to read:

71.42 (2) (r) For taxable years that begin after December 31, 2005, and before
as amended to December 31, 2005, excluding sections 103, 104, and 110 of P.L.
102−227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103−66,
sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104−188, sections 1, 3,
4, and 5 of P.L. 106−519, sections 162 and 165 of P.L. 106−554, P.L. 106−573, section
431 of P.L. 107−16, sections 101 and 301 (a) of P.L. 107−147, sections 106, 201, and
(a) of P.L. 108−311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910
of P.L. 108−357, P.L. 109−1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,
1328, 1329, 1348, and 1351 of P.L. 109−58, section 11146 of P.L. 109−59, section 301
of P.L. 109–73, and sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
(e), 403 (e), (j), and (q), and 405 of P.L. 109–135, and as amended by P.L. 109–222,
P.L. 109–280, excluding sections 811 and 844 of P.L. 109–280, and as indirectly
13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
(c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it
relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.

SECTION 2086. 71.42 (2) (s) of the statutes is created to read:

109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
(j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, 512, and 513 of P.L.
109-222, sections 811 and 844 of P.L. 109-280, and P.L. 109-432, and as indirectly
13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
(c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.
excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
109–280, except that “Internal Revenue Code” does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2006, do not apply to this paragraph with respect to taxable years beginning after December 31, 2006.

SECTION 2086k. 71.43 (1) of the statutes is amended to read:

71.43 (1) INCOME TAX. For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax as provided under this chapter on all Wisconsin net incomes of corporations that are not subject to the franchise tax under sub. (2) and that own property within this state; that derive income from sources within this state or from activities that are attributable to this state; or whose business within this state during the taxable year, except as provided under s. 71.23 (3), consists exclusively of foreign commerce, interstate commerce, or both, or that buy or sell lottery prizes if the winning tickets were originally bought in this state; except as exempted under ss. 71.26 (1) and 71.45 (1) (a). This section shall not be construed to prevent or affect the correction of errors or omissions in the assessments of income for former years under s. 71.74 (1) and (2).

SECTION 2086L. 71.43 (2) of the statutes is amended to read:

71.43 (2) FRANCHISE TAX ON CORPORATIONS. For the privilege of exercising its franchise, buying or selling lottery prizes if the winning tickets were originally bought in this state or doing business in this state in a corporate capacity, except as provided under s. 71.23 (3), every domestic or foreign corporation, except corporations specified in ss. 71.26 (1) and 71.45 (1) (a), shall annually pay a franchise tax according to or measured by its entire Wisconsin net income of the preceding taxable year at the rates set forth in s. 71.46 (2). In addition, except as provided in
ss. 71.23 (3), 71.26 (1) and 71.45 (1) (a), a corporation that ceases doing business in this state shall pay a special franchise tax according to or measured by its entire Wisconsin net income for the taxable year during which the corporation ceases doing business in this state at the rate under s. 71.46 (2). Every corporation organized under the laws of this state shall be deemed to be residing within this state for the purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to income taxation of corporations shall apply to franchise taxes imposed under this subsection, unless the context requires otherwise. The tax imposed by this subsection on insurance companies subject to taxation under this chapter shall be based on Wisconsin net income computed under s. 71.45, and no other provision of this chapter relating to computation of taxable income for other corporations shall apply to such insurance companies. All other provisions of this chapter shall apply to insurance companies subject to taxation under this chapter unless the context clearly requires otherwise.

**SECTION 2087.** 71.44 (3) of the statutes is amended to read:

71.44 (3) **Extensions.** In the case of a corporation required to file a return, when sufficient reason is shown, the department of revenue may on written request shall allow an automatic extension of 30 days 7 months or until the original due date of the corporation’s corresponding federal return, whichever is later, if the corporation has not received an extension on its federal return. Any extension of time granted by law or by the internal revenue service for the filing of corresponding federal returns shall extend the time for filing under this subchapter to 30 days after the federal due date if a copy of any extension requested of the internal revenue service is filed with the corporation reports the extension in the manner specified by the department on the return. Termination of an automatic extension by the internal
revenue service, or its refusal to grant such automatic extension, shall similarly
require that any returns due under this subchapter are due on or before 30 days after
the date for termination fixed by the internal revenue service. Except for payments
of estimated taxes, income or franchise taxes payable upon the filing of the tax return
shall not become delinquent during such extension period, but shall be subject to
interest at the rate of 12% per year during such period.

SECTION 2087e. 71.45 (1) of the statutes is renumbered 71.45 (1) (intro.) and
amended to read:

71.45 (1) EXEMPT AND EXCLUDABLE INCOME. (intro.) There shall be exempt from
taxation under this subchapter income as follows:

(a) Income of insurers exempt from federal income taxation pursuant to section
501 (c) (15) of the internal revenue code, town mutuals organized under or subject
to ch. 612, foreign insurers, and domestic insurers engaged exclusively in life
insurance business, domestic insurers insuring against financial loss by reason of
nonpayment of principal, interest and other sums agreed to be paid under the terms
of any note or bond or other evidence of indebtedness secured by a mortgage, deed
of trust or other instrument constituting a lien or charge on real estate and
corporations organized under ch. 185, but not including income of cooperative
sickness care associations organized under s. 185.981, or of a service insurance
corporation organized under ch. 613, that is derived from a health maintenance
organization as defined in s. 609.01 (2) or a limited service health organization as
defined in s. 609.01 (3), or operating under subch. I of ch. 616 which are bona fide
cooperatives operated without pecuniary profit to any shareholder or member, or
operated on a cooperative plan pursuant to which they determine and distribute
their proceeds in substantial compliance with s. 185.45. This subsection paragraph
does not apply to income that is realized from the sale of or purchase and subsequent
sale or redemption of lottery prizes if the winning tickets were originally bought in
this state.

SECTION 2087g. 71.45 (1) (b) of the statutes is created to read:

71.45 (1) (b) For taxable years beginning after December 31, 2006, the amount
of any incentive payment received by an individual under s. 23.33 (5r) in the taxable
year to which the claim relates.

SECTION 2087h. 71.45 (1t) (i) of the statutes is created to read:

71.45 (1t) (i) Those issued under s. 231.03 (6), on or after the effective date of
this paragraph .... [revisor inserts date], if the proceeds from the obligations that are
issued are used by a health facility, as defined in s. 231.01 (5), to fund the acquisition
of information technology hardware or software.

SECTION 2088. 71.45 (2) (a) 10. of the statutes is amended to read:

71.45 (2) (a) 10. By adding to federal taxable income the amount of credit
computed under s. 71.47 (1dd) to (1dx), (3h), (3n), (3p), (3w), (5b), (5e), (5f), (5g), and
(5h), (5i), (5j), and (5k) and not passed through by a partnership, limited liability
company, or tax−option corporation that has added that amount to the partnership’s,
limited liability company’s, or tax−option corporation’s income under s. 71.21 (4) or
71.34 (1) (g) and the amount of credit computed under s. 71.47 (1), (3), (3t), (4), and
(5).

SECTION 2090. 71.47 (1dx) (a) 5. of the statutes is amended to read:

71.47 (1dx) (a) 5. “Member of a targeted group” means a person who resides
in an area designated by the federal government as an economic revitalization area,
a person who is employed in an unsubsidized job but meets the eligibility
requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay project position under s. 49.147 (3m), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

SECTION 2091. 71.47 (1dx) (b) 2. of the statutes is amended to read:

71.47 (1dx) (b) 2. The amount determined by multiplying the amount determined under s. 560.785 (1) (b) by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 2092. 71.47 (1dx) (b) 3. of the statutes is amended to read:

71.47 (1dx) (b) 3. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full-time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 2093. 71.47 (1dx) (b) 4. of the statutes is amended to read:

71.47 (1dx) (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) (bm) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been
claimed under sub. (1dj), in an enterprise development zone under s. 560.797 and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 2093. 71.47 (1dx) (b) 5. of the statutes is amended to read:

71.47 (1dx) (b) 5. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 2094h. 71.47 (3h) of the statutes is created to read:

71.47 (3h) BIODIESEL FUEL PRODUCTION CREDIT. (a) Definitions. In this subsection:

1. “Biodiesel fuel” has the meaning given in s. 168.14 (2m) (a).

2. “Claimant” means a person who is engaged in the business of producing biodiesel fuel in this state and who files a claim under this subsection.

(b) Filing claims. Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2009, and before January 1, 2013, for a claimant who produces at least 2,500,000 gallons of biodiesel fuel in this state in the taxable year, a claimant may claim as a credit against the tax imposed under s. 71.43, up to the amount of the tax, an amount that is equal to the number of gallons of biodiesel fuel produced by the claimant in this state in the taxable year multiplied by 10 cents.
(c) Limitations. 1. The maximum amount of the credit that a claimant may claim under this subsection in a taxable year is $1,000,000.

2. Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their biodiesel fuel production, as described under par. (b). A partnership, limited liability company, or tax-option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interests.

(d) Administration. Section 71.28 (4) (e) to (h) as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

SECTION 2095. 71.47 (3p) of the statutes is created to read:

71.47 (3p) Dairy manufacturing facility investment credit. (a) Definitions

In this subsection:

1. “Claimant” means a person who files a claim under this subsection.

2. “Dairy manufacturing” means processing milk into dairy products or processing dairy products for sale commercially.

3. “Dairy manufacturing modernization or expansion” means constructing, improving, or acquiring buildings or facilities, or acquiring equipment, for dairy manufacturing, including the following, if used exclusively for dairy manufacturing and if acquired and placed in service in this state during taxable years that begin after December 31, 2006, and before January 1, 2015:

   a. Building construction, including storage and warehouse facilities.

   b. Building additions.
c. Upgrades to utilities, including water, electric, heat, and waste facilities.

d. Milk intake and storage equipment.

e. Processing and manufacturing equipment, including pipes, motors, pumps, valves, pasteurizers, homogenizers, vats, evaporators, dryers, concentrators, and churns.

f. Packaging and handling equipment, including sealing, bagging, boxing, labeling, conveying, and product movement equipment.

g. Warehouse equipment, including storage racks.

h. Waste treatment and waste management equipment, including tanks, blowers, separators, dryers, digesters, and equipment that uses waste to produce energy, fuel, or industrial products.

i. Computer software and hardware used for managing the claimant’s dairy manufacturing operation, including software and hardware related to logistics, inventory management, and production plant controls.

4. “Used exclusively” means used to the exclusion of all other uses except for use not exceeding 5 percent of total use.

(b) Filing claims. Subject to the limitations provided in this subsection and s. 560.207, for taxable years beginning after December 31, 2006, and before January 1, 2015, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for dairy manufacturing modernization or expansion related to the claimant’s dairy manufacturing operation.

(c) Limitations. 1. No credit may be allowed under this subsection for any amount that the claimant paid for expenses described under par. (b) that the claimant also claimed as a deduction under section 162 of the Internal Revenue Code.
2. The aggregate amount of credits that a claimant may claim under this subsection is $200,000.

2m. a. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2007–08 is $600,000, as allocated under s. 560.207.

b. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2008–09, and in each fiscal year thereafter, is $700,000, as allocated under s. 560.207.

3. Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of expenses under par. (b), except that the aggregate amount of credits that the entity may compute shall not exceed $200,000. A partnership, limited liability company, or tax-option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interest.

4. If 2 or more persons own and operate the dairy manufacturing operation, each person may claim a credit under par. (b) in proportion to his or her ownership interest, except that the aggregate amount of the credits claimed by all persons who own and operate the dairy manufacturing operation shall not exceed $200,000.

(d) Administration. 1. Section 71.28 (4) (e), (g), and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under s. 71.43 or no tax is due under s. 71.43, the amount of the claim not used
to offset the tax due shall be certified by the department of revenue to the department
of administration for payment by check, share draft, or other draft drawn from the
appropriation account under s. 20.835 (2) (bn).

SECTION 2096. 71.47 (3w) (a) 5m. of the statutes is created to read:

71.47 (3w) (a) 5m. “Wages” means wages under section 3306 (b) of the Internal
Revenue Code, determined without regard to any dollar limitations.

SECTION 2097. 71.47 (3w) (a) 6. of the statutes is amended to read:

71.47 (3w) (a) 6. “Zone payroll” means the amount of state payroll that is
attributable to compensation wages paid to individuals full-time employees for
services that are performed in a enterprise zone. “Zone payroll” does not include
the amount of compensation wages paid to any individuals full-time employees that
exceeds $100,000.

SECTION 2098. 71.47 (3w) (b) 1. a. of the statutes is amended to read:

71.47 (3w) (b) 1. a. The claimant’s zone payroll in the taxable year, minus the
claimant’s zone payroll number of full-time employees whose annual wages are
greater than $30,000 and who the claimant employed in the enterprise zone in the
taxable year, minus the number of full-time employees whose annual wages were
greater than $30,000 and who the claimant employed in the area that comprises the
enterprise zone in the base year.

SECTION 2099. 71.47 (3w) (b) 1. b. of the statutes is amended to read:

71.47 (3w) (b) 1. b. The claimant’s state payroll in the taxable year, minus the
claimant’s state payroll number of full-time employees whose annual wages are
greater than $30,000 and who the claimant employed in the state in the taxable year,
minus the number of full-time employees whose annual wages were greater than
$30,000 and who the claimant employed in the state in the base year.
SECTION 2100. 71.47 (3w) (b) 2. of the statutes is amended to read:

71.47 (3w) (b) 2. Subtract the number of Determine the claimant’s average zone payroll by dividing total wages for full-time employees that whose annual wages are greater than $30,000 and who the claimant employed in the area that comprises the enterprise zone in the base taxable year from by the number of full-time employees that whose annual wages are greater than $30,000 and who the claimant employed in the enterprise zone in the taxable year.

SECTION 2101. 71.47 (3w) (b) 3. of the statutes is amended to read:

71.47 (3w) (b) 3. Multiply Subtract $30,000 from the amount determined under subd. 2., but not an amount less than zero, by $30,000.

SECTION 2102. 71.47 (3w) (b) 4. of the statutes is amended to read:

71.47 (3w) (b) 4. Subtract Multiply the amount determined under subd. 3. from by the amount determined under subd. 1.

SECTION 2103. 71.47 (3w) (bm) (intro.) and 4. of the statutes are consolidated, renumbered 71.47 (3w) (bm) and amended to read:

71.47 (3w) (bm) Filing supplemental claims. In addition to the credit under par. (b) and subject to the limitations provided in this subsection and s. 560.799, a claimant may claim as a credit against the tax imposed under s. 71.43 an amount equal to all of the following: 4. The the amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant’s full-time employees, to train any of the claimant’s full-time employees on the use of job-related new technologies, or to train provide job-related training to any full-time employee whose employment with the claimant represents the employee’s first full-time job. This subdivision does not apply to employees who do not work in a an enterprise zone.
SECTION 2104. 71.47 (3w) (bm) 3. of the statutes is repealed.

SECTION 2105. 71.47 (3w) (d) of the statutes is amended to read:

71.47 (3w) (d) Administration. Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall include with their returns a copy of their certification for tax benefits, and a copy of the verification of their expenses, from the department of commerce.

SECTION 2106. 71.47 (5b) (c) 1. of the statutes is amended to read:

71.47 (5b) (c) 1. The Except as provided in s. 73.03 (63), the maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (5b) and 71.28 (5b) for all taxable years combined is $35,000,000 $52,500,000.

SECTION 2107. 71.47 (5b) (d) of the statutes is renumbered 71.47 (5b) (d) 1.

SECTION 2108. 71.47 (5b) (d) 2. of the statutes is created to read:

71.47 (5b) (d) 2. The Wisconsin adjusted basis of any investment for which a credit is claimed under par. (b) shall be reduced by the amount of the credit that is offset against Wisconsin income taxes. The Wisconsin basis of a partner’s interest in a partnership, a member’s interest in a limited liability company, or stock in a tax-option corporation shall be adjusted to reflect adjustments made under this subdivision.

SECTION 2109. 71.47 (5e) (b) of the statutes is amended to read:

71.47 (5e) (b) Filing claims. Subject to the limitations provided in this subsection and subject to 2005 Wisconsin Act 479, section 17, beginning in the first taxable year following the taxable year in which the claimant claims an exemption a deduction under s. 77.54 (48) 77.585 (9), a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of those taxes, in each taxable year for 2 years, the amount certified by the department of commerce that resulted
from the claimant claimed as an exemption claiming a deduction under s. 77.54 (48)

77.585 (9).

**SECTION 2110.** 71.47 (5e) (c) 1. of the statutes is amended to read:

71.47 (5e) (c) 1. No credit may be allowed under this subsection unless the claimant satisfies the requirements under s. 77.54 (48) 77.585 (9).

**SECTION 2111.** 71.47 (5e) (c) 3. of the statutes is amended to read:

71.47 (5e) (c) 3. The total amount of the credits and exemptions the sales and use tax resulting from the deductions claimed under s. 77.585 (9) that may be claimed by all claimants under this subsection and ss. 71.07 (5e), 71.28 (5e), and 77.54 (48) 77.585 (9) is $7,500,000, as determined by the department of commerce.

**SECTION 2112.** 71.47 (5h) (a) 4. of the statutes is amended to read:

71.47 (5h) (a) 4. “Previously owned property” means real property that the claimant or a related person owned during the 2 years prior to doing business in this state as a film production company and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 of the Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than 50 percent ownership, the claimant is subject to section 267 of the Internal Revenue Code for purposes of this subsection.

**SECTION 2113.** 71.47 (5h) (c) 2. of the statutes is amended to read:

71.47 (5h) (c) 2. A claimant may claim the credit under par. (b) 2. for an amount expended to construct, rehabilitate, remodel, or repair real property, if the claimant began the physical work of construction, rehabilitation, remodeling, or repair, or any demolition or destruction in preparation for the physical work, after December 31, 2007, or if and the completed project is placed in service after December 31, 2007.
SECTION 2114. 71.47 (5h) (c) 3. of the statutes is amended to read:

71.47 (5h) (c) 3. A claimant may claim the credit under par. (b) 2. for an amount expended to acquire real property, if the property is not previously owned property and if the claimant acquires the property after December 31, 2007, or if and the completed project is placed in service after December 31, 2007.

SECTION 2115. 71.47 (5i) of the statutes is created to read:

71.47 (5i) ELECTRONIC MEDICAL RECORDS CREDIT. (a) Definitions. In this subsection, “claimant” means a person who files a claim under this subsection.

(b) Filing claims. Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of those taxes, an amount equal to 50 percent of the amount the claimant paid in the taxable year for information technology hardware or software that is used to maintain medical records in electronic form, if the claimant is a health care provider, as defined in s. 146.81 (1).

(c) Limitations. 1. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (5i) and 71.28 (5i) in a taxable year is $10,000,000, as allocated under s. 560.204.

2. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability
companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interests.

(d) Administration. Section 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

SECTION 2116. 71.47 (5j) of the statutes is created to read:

71.47 (5j) ETHANOL AND BIODIESEL FUEL PUMP CREDIT. (a) Definitions. In this subsection:

1. “Biodiesel fuel” has the meaning given in s. 168.14 (2m) (a).
2. “Claimant” means a person who files a claim under this subsection.
3. “Motor vehicle fuel” has the meaning given in s. 78.005 (13).

(b) Filing claims. Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2007, and before January 1, 2018, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of the taxes, an amount that is equal to 25 percent of the amount that the claimant paid in the taxable year to install or retrofit pumps located in this state that dispense motor vehicle fuel consisting of at least 85 percent ethanol or at least 20 percent biodiesel fuel.

(c) Limitations. 1. The maximum amount of the credit that a claimant may claim under this subsection in a taxable year is an amount that is equal to $5,000 for each service station for which the claimant has installed or retrofitted pumps as described under par. (b).

2. Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax-option corporation shall compute the amount of
credit that each of its partners, members, or shareholders may claim and shall
provide that information to each of them. Partners, members of limited liability
companies, and shareholders of tax-option corporations may claim the credit in
proportion to their ownership interests.

(d) Administration. Section 71.28 (4) (e) to (h), as it applies to the credit under
s. 71.28 (4), applies to the credit under this subsection.

SECTION 2116m. 71.47 (5k) of the statutes is created to read:

71.47 (5k) COMMUNITY REHABILITATION PROGRAM CREDIT. (a) Definitions. In this
subsection:

1. “Claimant” means a person who files a claim under this subsection.

2. “Community rehabilitation program” means a nonprofit entity, county,
municipality, or state or federal agency that directly provides, or facilitates the
provision of, vocational rehabilitation services to individuals who have disabilities
to maximize the employment opportunities, including career advancement, of such
individuals.

3. “Vocational rehabilitation services” include education, training,
employment, counseling, therapy, placement, and case management.

4. “Work” includes production, packaging, assembly, food service, custodial
service, clerical service, and other commercial activities that improve employment
opportunities for individuals who have disabilities.

(b) Filing claims. Subject to the limitations provided in this subsection, for
taxable years beginning after July 1, 2009, a claimant may claim as a credit against
the tax imposed under s. 71.43, up to the amount of those taxes, an amount equal to
5 percent of the amount the claimant paid in the taxable year to a community
rehabilitation program to perform work for the claimant’s business, pursuant to a contract.

(c) Limitations. 1. The maximum amount of the credit that any claimant may claim under this subsection in a taxable year is $25,000 for each community rehabilitation program for which the claimant enters into a contract to have the community rehabilitation program perform work for the claimant’s business.

2. No credit may be claimed under this subsection unless the claimant submits with the claimant’s return a form, as prescribed by the department of revenue, that verifies that the claimant has entered into a contract with a community rehabilitation program and that the program has received payment from the claimant for work provided by the program, consistent with par. (b).

3. Partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax−option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit in proportion to their ownership interests.

(d) Administration. Section 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

SECTION 2116n. 71.49 (1) (bn) of the statutes is created to read:

71.49 (1) (bn) Community rehabilitation program credit under s. 71.47 (5k).

SECTION 2116s. 71.49 (1) (cn) of the statutes is created to read:

71.49 (1) (cn) Biodiesel fuel production credit under s. 71.47 (3h).
SECTION 2118. 71.49 (1) (ds) of the statutes is created to read:

71.49 (1) (ds) Ethanol and biodiesel fuel pump credit under s. 71.47 (5j).

SECTION 2119. 71.49 (1) (epa) of the statutes is created to read:

71.49 (1) (epa) Electronic medical records credit under s. 71.47 (5i).

SECTION 2120. 71.49 (1) (epp) of the statutes is renumbered 71.49 (1) (eps) and amended to read:

71.49 (1) (eps) Film production services credit under s. 71.47 (5f) (b) 1. and 3.

SECTION 2121. 71.49 (1) (f) of the statutes is amended to read:

71.49 (1) (f) The total of farmers’ drought property tax credit under s. 71.47 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under s. 71.47 (2m), dairy manufacturing facility investment credit under s. 71.47 (3p), enterprise zone jobs credit under s. 71.47 (3w), film production services credit under s. 71.47 (5f) (b) 2., and estimated tax payments under s. 71.48.

SECTION 2127. 71.738 (1d) of the statutes is repealed.

SECTION 2128. 71.738 (2d) of the statutes is repealed.

SECTION 2129. 71.74 (14) of the statutes is amended to read:

71.74 (14) ADDITIONAL REMEDY TO COLLECT TAX. The department may also proceed under s. 71.91 (5) for the collection of any additional assessment of income or franchise taxes or surtaxes, after notice thereof has been given under sub. (11) and before the same shall have become delinquent, when it has reasonable grounds to believe that the collection of such additional assessment will be jeopardized by delay. In such cases notice of the intention to so proceed shall be given by registered mail to the taxpayer, and the warrant of the department shall not issue if the taxpayer within 10 days after such notice furnishes a bond in such amount, not exceeding double the amount of the tax, and with such sureties as the department shall
approve, conditioned upon the payment of so much of the additional taxes as shall finally be determined to be due, together with interest thereon as provided by s. 71.82 (1) (a). Nothing in this subsection shall affect the review of additional assessments provided by ss. 71.88 (1) (a) and (2) (a), 71.89 (2), 73.01, and 73.015, and any amounts collected under this subsection shall be deposited with the secretary of administration department and disbursed after final determination of the taxes as are amounts deposited under s. 71.90 (2).

SECTION 2130. 71.765 of the statutes is repealed.

SECTION 2131. 71.775 (3) (a) 2. of the statutes is amended to read:

71.775 (3) (a) 2. The partner, member, shareholder, or beneficiary has no Wisconsin income other than his or her partner’s, member’s, shareholder’s, or beneficiary’s share of income from the pass-through entity that is attributable to this state and his or her share of such income is less than $1,000.

SECTION 2132. 71.775 (3) (a) 3. of the statutes is created to read:

71.775 (3) (a) 3. The nonresident partner, member, shareholder, or beneficiary files an affidavit with the department, in the form and manner prescribed by the department, whereby the nonresident partner, member, shareholder, or beneficiary agrees to file a Wisconsin income or franchise tax return and be subject to the personal jurisdiction of the department, the tax appeals commission, and the courts of this state for the purpose of determining and collecting Wisconsin income and franchise taxes, including estimated tax payments, together with any related interest and penalties.

SECTION 2133. 71.775 (4) (b) 2. of the statutes is amended to read:

71.775 (4) (b) 2. A pass-through entity that pays the tax withheld under subd. 1. is not subject to an underpayment of estimated tax
under s. 71.09 or 71.29, if 90 percent of the tax that is due for the current taxable year is paid by the unextended due date or if 100 percent of the tax that is due for the taxable year immediately preceding the current taxable year is paid by the unextended due date and the taxable year immediately preceding the current taxable year was a 12-month period. Interest Except as provided in par. (f), interest at the rate of 12 percent shall be imposed on the unpaid amount of the tax withheld due under sub. (2) during any extension period and interest at the rate of 18 percent shall be imposed on the unpaid amount of the tax withheld due under sub. (2) for the period beginning with the extended due date and ending with the date that the unpaid amount is paid in full.

**SECTION 2134.** 71.775 (4) (d) of the statutes is amended to read:

> 71.775 (4) (d) A nonresident partner, member, shareholder, or beneficiary of a pass-through entity may claim a credit, as prescribed by the department, on his or her Wisconsin income or franchise tax return for the amount withheld under sub. (2) on his or her behalf for the tax period for which the income of the pass-through entity is reported. For purposes of this paragraph determining whether interest under s. 71.84 applies to a nonresident partner, member, shareholder, or beneficiary, the amount withheld under sub. (2) is considered to be paid on the last day of the pass-through entity's taxable year for which the tax is paid in 4 equal quarterly installments.

**SECTION 2135.** 71.775 (4) (f) of the statutes is amended to read:

> 71.775 (4) (f) If a pass-through entity subject to withholding under this section fails to withhold pay the tax as required by this section, the pass-through entity shall be liable for any unpaid tax, interest, and penalties otherwise assessable to the nonresident partner, member, shareholder, or beneficiary with respect to income
from the pass-through entity. If a nonresident partner, member, shareholder, or
beneficiary of the pass-through entity files a return and pays the tax due, the
pass-through entity shall not be liable for the tax, but shall be liable for any interest
and penalties otherwise applicable for failure to withhold, as the penalty provided
under ss. 71.82 (2) (d) and s. 71.83 (1) (a) 1. and for any interest otherwise assessable
to the nonresident partner, member, shareholder, or beneficiary with respect to
income from the pass-through entity.

**SECTION 2135.** 71.78 (2) of the statutes is amended to read:

71.78 (2) **DISCLOSURE OF NET TAX.** The department shall make available upon
suitable forms prepared by the department information setting forth the net
Wisconsin income tax, Wisconsin franchise tax, or Wisconsin gift tax reported as paid
or payable in the returns filed by any individual or corporation, and any amount of
delinquent taxes owed, as described in s. 73.03 (62), by any such individual or
corporation, for any individual year upon request. When making available
information setting forth the delinquent taxes owed by an individual or corporation,
the information shall include interest, penalties, fees, and costs, which are unpaid
for more than 90 days after all appeal rights have expired, except that such
information may not be provided for any person who has reached an agreement or
compromise with the department, or the department of justice, under s. 71.92 and
is in compliance with that agreement, regarding the payment of delinquent taxes,
or the name of any person who is protected by a stay that is in effect under the Federal
Bankruptcy Code. Before the request is granted, the person desiring to obtain the
information shall prove his or her identity and shall be required to sign a statement
setting forth the person's address and reason for making the request and indicating
that the person understands the provisions of this section with respect to the
divulgement, publication or dissemination of information obtained from returns as
provided in sub. (1). The use of a fictitious name is a violation of this section. Within
24 hours after any information from any such tax return has been so obtained, the
department shall mail to the person from whose return the information has been
obtained a notification which shall give the name and address of the person obtaining
the information and the reason assigned for requesting the information. The
department shall collect from the person requesting the information a fee of $4 for
each return.

SECTION 2136. 71.80 (20) of the statutes is amended to read:

71.80 (20) MAGNETIC MEDIA ELECTRONIC FILING. If the internal revenue service
requires a person to file information returns or wage statements on magnetic media
or in other machine-readable form electronically for federal income tax purposes, the
person shall also file the comparable state information returns or wage statements
on magnetic media or in other machine-readable form electronically with the
department of revenue for income or franchise tax purposes.

SECTION 2137. 71.805 of the statutes is created to read:

71.805 Tax avoidance transactions voluntary compliance program. (1)

DEFINITIONS. In this section:

(a) “Tax avoidance transaction” means a transaction, plan, or arrangement
devised for the principal purpose of avoiding federal or Wisconsin income or
franchise tax. “Tax avoidance transaction” includes a listed transaction as provided
under U.S. department of the treasury regulations as of the effective date of this
paragraph .... [revisor inserts date], and may include a transaction, as determined
by the department, that provides a tax benefit for Wisconsin income or franchise tax
purposes without providing a similar benefit for federal income tax purposes.
(b) “Taxpayer” means a person who is subject to the taxes imposed under this chapter and who has a tax liability attributable to using a tax avoidance transaction for any taxable year beginning before January 1, 2007.

(2) PENALTY WAIVER OR ABATEMENT. All of the following apply with regard to a taxpayer who satisfies the conditions under sub. (3):

(a) Except as provided under sub. (4) (b), the department shall waive or abate all penalties that are applicable to the underreporting or underpayment of Wisconsin income or franchise taxes attributable to using a tax avoidance transaction for any taxable year for which the taxpayer satisfies the conditions under sub. (3).

(b) The department shall not seek a criminal prosecution against the taxpayer with respect to using a tax avoidance transaction for any taxable year for which the taxpayer satisfies the conditions under sub. (3).

(3) TAXPAYER ELIGIBILITY. A taxpayer is eligible for the benefits described under sub. (2) (a) and (b), if, during the period beginning on the first day of the 3rd month beginning after publication .... [revisor inserts date], and ending on the last day of the 7th month beginning after publication .... [revisor inserts date], the taxpayer does the following:

(a) Files an amended Wisconsin tax return for each taxable year for which the taxpayer has previously filed a Wisconsin tax return that uses a tax avoidance transaction to underreport the taxpayer’s Wisconsin income or franchise tax liability and the amended return reports the total Wisconsin net income and tax for the taxable year, computed without regard to any tax avoidance transaction and without regard to any other adjustment that is unrelated to any tax avoidance transaction.

(b) Pays, in full, for each taxable year for which an amended return is filed under par. (a), the entire amount of Wisconsin income or franchise tax and interest
due that is attributable to using a tax avoidance transaction, except that the
secretary of revenue may enter into an agreement with the taxpayer to make
payments in installments. A taxpayer who does not comply with an installment
agreement provided under this paragraph is ineligible to receive the benefits
described under sub. (2) (a) and (b) and the total amount of tax, interest, and
penalties shall be immediately due and payable.

(4) LIMITATIONS AND ADMINISTRATION. (a) A taxpayer who receives the benefits
described under sub. (2) may not file an appeal or a claim for credit or refund with
respect to the tax avoidance transactions for the taxable years for which the taxpayer
satisfied the conditions under sub. (3), except to the extent that a timely filed appeal
or claim for a refund results from an adjustment to the taxpayer’s federal income tax
liability regarding such transactions.

(b) The department may not waive or abate a penalty as provided under sub.
(2) (a) if the penalty relates to an amount of Wisconsin income and franchise tax that
is attributable to a tax avoidance transaction and assessed and paid prior to the first
day of the 3rd month beginning after publication .... [revisor inserts date], or after
the last day of the 7th month beginning after publication .... [revisor inserts date].

SECTION 2138. 71.81 of the statutes is created to read:

71.81 Disclosing reportable transactions. (1) DEFINITIONS. In this section:

(a) “Listed transaction” means any reportable transaction that is the same as,
or substantially similar to, a transaction, plan, or arrangement specifically identified
by the U.S. secretary of the treasury as a listed transaction, for purposes of section
6011 of the Internal Revenue Code and that is specifically identified by the U.S.
secretary of the treasury as a listed transaction on or after the date the transaction
occurred.
(b) “Material advisor” means any person who provides any material aid, assistance, or advice with respect to organizing, managing, promoting, selling, implementing, insuring, or carrying out any reportable transaction and who, directly or indirectly, derives gross income from providing such aid, assistance, or advice in an amount that exceeds the threshold amount.

(c) “Reportable transaction” means any transaction, plan, or arrangement, including a listed transaction, for which a taxpayer is required to submit information to the department because the taxpayer is required to disclose the transaction, plan, or arrangement for federal income tax purposes for the taxable year in which the transaction occurred, as provided under U.S. department of treasury regulations.

(d) “Tax shelter” means any entity, plan, or arrangement, if avoiding or evading federal income tax or Wisconsin income or franchise tax is a significant purpose of the entity, plan, or arrangement.

(e) “Threshold amount” means the following:

1. In the case of a reportable transaction, not including a listed transaction, from which the tax benefits are provided primarily to an individual, $50,000.

2. In the case of a listed transaction from which the tax benefits are provided primarily to an individual, $10,000.

3. In the case of a reportable transaction, not including a listed transaction, from which the tax benefits are provided primarily to an entity and not an individual, $250,000.

4. In the case of a listed transaction, from which the tax benefits are provided primarily to an entity and not an individual, $25,000.

(2) DISCLOSURE. For each taxable year in which a taxpayer has participated in a reportable transaction, the taxpayer shall file with the department a copy of any
form required by the internal revenue service for disclosing the reportable
transaction for federal income tax purposes no later than 60 days after the date for
which the taxpayer is required to file the form for federal income tax purposes, except
that, if the taxpayer has filed a form with the internal revenue service on or before
the effective date of this subsection .... [revisor inserts date], the taxpayer shall file
a copy of the form with the department no later than the last day of the 7th month
beginning after publication .... [revisor inserts date]. The department may require
that forms filed with the department under this subsection be filed separately from
this state's income or franchise tax return. This subsection applies to any reportable
transaction entered into on or after January 1, 2001, or any reportable transaction
entered into prior to January 1, 2001, that reduced the taxpayer’s tax liability for
taxable years beginning on or after January 1, 2001, for any taxable year for which
the transaction remains undisclosed and for which the statute of limitations on
assessment, including any extension provided under sub. (6), has not expired as of
the date that is 60 days after the effective date of this subsection .... [revisor inserts
date].

(3) PENALTY FOR FAILING TO DISCLOSE. (a) Any taxpayer who does not file the
form under sub. (2) and who is required to file the form is subject to the following
penalty:

1. If the taxpayer participated in a reportable transaction that is not a listed
transaction, the lesser of $15,000 or 10 percent of the tax benefit obtained from the
reportable transaction.

2. If the taxpayer participated in a listed transaction, $30,000.

(b) The secretary of revenue may waive or abate any penalty imposed under
this subsection, or any portion of such penalty, related to a reportable transaction
that is not a listed transaction, if the waiver or abatement promotes compliance with
this section and effective tax administration. Notwithstanding any other law or rule,
a determination by the secretary of revenue under this paragraph may not be
reviewed in any judicial proceeding.

(c) The penalties imposed under this subsection apply to any failure to disclose
a listed transaction entered into on or after January 1, 2001, or entered into prior to
January 1, 2001, that reduced the taxpayer’s tax liability for taxable years beginning
on or after January 1, 2001, including transactions that were not listed transactions
when entered into, but became listed transactions before the effective date of this
paragraph .... [revisor inserts date], or any other reportable transaction entered into
after the effective date of this paragraph .... [revisor inserts date], for any taxable
year for which the statute of limitations on assessment, including any extension
under sub. (6), has not expired as of the effective date of this paragraph .... [revisor
inserts date].

(4) UNDERSTATEMENT PENALTY. (a) If a taxpayer has a reportable transaction
understatement, as determined in par. (b), the taxpayer shall pay, in addition to any
tax owed with regard to the reportable transaction, an amount equal to either 20
percent of the reportable transaction understatement or, in the case of a reportable
transaction that is not disclosed as provided in sub. (2), 30 percent of the reportable
transaction understatement.

(b) A taxpayer has a reportable transaction understatement if the following
calculation results in a positive number:

1. Multiply the taxpayer’s highest applicable tax rate under s. 71.06, 71.27, or
71.46, by the amount of any increase in Wisconsin taxable income that results from
the difference between the proper tax treatment of a reportable transaction and the
taxpayer’s treatment of the transaction as shown on the taxpayer’s tax return, including any amended return the taxpayer files before the date on which the department first contacts the taxpayer regarding an examination of the taxable year for which the amended return is filed. For purposes of this subdivision, the amount of any increase in Wisconsin taxable income for a taxable year includes any reduction in the amount of loss available for carry-forward to the subsequent year.

2. Add the amount determined under subd. 1. to the amount of any decrease in the aggregate amount of Wisconsin income or franchise tax credits that results from the difference between the proper tax treatment of a reportable transaction and the taxpayer’s treatment of the transaction as shown on the taxpayer’s tax return.

(c) The secretary of revenue may waive or abate any penalty imposed under this subsection, or any portion of such penalty, if the taxpayer demonstrates to the department that the taxpayer had reasonable cause to act the way the taxpayer did, and in good faith, with regard to the tax treatment for which the taxpayer is subject to a penalty under this subsection and all facts relevant to the tax treatment are adequately disclosed in the filing under sub. (2), except that, if the taxpayer does not fully disclose such facts under sub. (2), the taxpayer’s penalty may be waived or abated under this paragraph if the taxpayer demonstrates to the department that the taxpayer reasonably believed that the tax treatment for which the taxpayer is subject to a penalty under this subsection was more likely than not the proper treatment and substantial authority exists or existed for the tax treatment for which the taxpayer is subject to a penalty under this subsection. Notwithstanding any other law or rule, a determination by the secretary of revenue under this paragraph may not be reviewed in any judicial proceeding.
(d) The penalties under par. (a) apply to any reportable transaction understatement from a reportable transaction, including a listed transaction, entered into on or after January 1, 2001, or entered into prior to January 1, 2001, that reduced the taxpayer’s tax liability for taxable years beginning on or after January 1, 2001, for any taxable year for which the statute of limitations on assessment, including any extension provided under sub. (6), has not expired as of the effective date of this paragraph .... [revisor inserts date].

(5) Additional understatement penalty. (a) 1. In addition to the penalty under sub. (4) (a), a taxpayer who files an amended return after the last day of the 7th month beginning after publication .... [revisor inserts date], and before the taxpayer is contacted by the internal revenue service or the department regarding a reportable transaction is subject to a penalty in an amount equal to 50 percent of the interest assessed under s. 71.82 on any reportable transaction understatement, as determined under sub. (4) (b), for the tax period for which the taxpayer files an amended return.

2. If the internal revenue service or the department contacts a taxpayer after the last day of the 7th month beginning after publication .... [revisor inserts date], regarding a reportable transaction and the taxpayer is contacted before the taxpayer files an amended return with respect to that transaction, the taxpayer is subject to a penalty in an amount equal to the interest assessed under s. 71.82 on any reportable transaction understatement, as determined under sub. (4) (b), for the tax period for which the internal revenue service or the department contacts the taxpayer.

(b) The penalties under par. (a) apply to any reportable transaction understatement resulting from a reportable transaction, including a listed
transaction, entered into on or after January 1, 2001, or entered into prior to January 1, 2001, that reduced the taxpayer’s tax liability for taxable years beginning on or after January 1, 2001, for any taxable year for which the statute of limitations on assessment, including any extension provided under sub. (6), has not expired as of the effective date of this paragraph .... [revisor inserts date].

(c) The secretary of revenue may waive or abate any penalty imposed under this subsection, or any portion of such penalty, if the taxpayer demonstrates to the department that the taxpayer had reasonable cause to act the way the taxpayer did, and in good faith, with regard to the tax treatment for which the taxpayer is subject to a penalty under this subsection and all facts relevant to the tax treatment are adequately disclosed in the filing under sub. (2), except that, if the taxpayer does not fully disclose such facts under sub. (2), the taxpayer’s penalty may be waived or abated under this paragraph if the taxpayer demonstrates to the department that the taxpayer reasonably believed that the tax treatment for which the taxpayer is subject to a penalty under this subsection was more likely than not the proper treatment and substantial authority exists or existed for the tax treatment for which the taxpayer is subject to a penalty under this subsection. Notwithstanding any other law or rule, a determination by the secretary of revenue under this paragraph may not be reviewed in any judicial proceeding.

(6) Statute of Limitations Extension. (a) Except as provided in par. (b), if a taxpayer fails to provide any information regarding a reportable transaction, other than a listed transaction, under sub. (2), the time for assessing any tax imposed under this chapter with respect to that transaction shall expire no later than the date that is 6 years after the date on which the return for the taxable year in which the reportable transaction occurred was filed. If a taxpayer fails to provide any
information regarding a listed transaction, under sub. (2), the time for assessing any

tax imposed under this chapter with respect to that transaction shall expire on the

latest of the following dates:

1. The date that is 6 years after the date on which the return for the taxable

year in which the listed transaction occurred was filed.

2. The date that is 12 months after the date on which the taxpayer provides

information regarding the listed transaction under sub. (2).

3. The date that is 12 months after the date on which the taxpayer’s material

advisor provides, at the department’s request, the list described in sub. (7) (b).

4. The date that is 4 years after the date on which the department discovers

a listed transaction that was a listed transaction on the date the transaction occurred

for which the taxpayer did not provide the information described under sub. (2) or

for which the taxpayer’s material advisor did not provide the information described

under sub (7) (b).

(b) Any limitation determined under par. (a) may be extended by a written

agreement between the taxpayer and the department as provided under s. 71.77 (5).

(c) This subsection applies to any reportable transaction, including a listed

transaction entered into on or after January 1, 2001, or entered into prior to January

1, 2001, that reduced the taxpayer’s tax liability for taxable years beginning on or


(7) Material advisor. (a) Each material advisor who is required to disclose a

reportable transaction under section 6111 of the Internal Revenue Code shall file a

copy of the disclosure with the department no later than 60 days after the date for

which the material advisor is required to file the disclosure with the internal revenue

service, except that, if a material advisor files the disclosure with the internal
revenue service on or before the effective date of this paragraph .... [revisor inserts date], the material advisor shall file a copy of the disclosure with the department no later than the last day of the 7th month beginning after publication .... [revisor inserts date].

(b) Each material advisor shall maintain a list that identifies each Wisconsin taxpayer for whom the person provided services as a material advisor with respect to a reportable transaction, regardless of whether the taxpayer is required to file the form under sub. (2). Any material advisor who is required to maintain a list under this paragraph shall provide the list to the department after receiving the department’s written request to provide the list and shall retain the information contained in the list for 7 years or for the period determined by the department by rule. If 2 or more material advisors are required under this paragraph to maintain identical lists, the department may provide that only one of the material advisors maintain the list.

(c) This subsection applies to reportable transactions, not including listed transactions, for which a material advisor provides services after the effective date of this paragraph .... [revisor inserts date], and listed transactions for which a material advisor provides services, and were entered into, on or after January 1, 2001, or were entered into prior to January 1, 2001, and that reduced the taxpayer’s tax liability for taxable years beginning on or after January 1, 2001, regardless of when the transactions became listed transactions.

(8) **MATERIAL ADVISOR PENALTIES.** (a) If a person who is required to file a disclosure with the department as provided under sub. (7) (a) fails to file the disclosure or files a disclosure containing false or incomplete information, the person is subject to a penalty equal to the following amounts:
1. If the disclosure relates to a reportable transaction that is not a listed
transaction, $15,000.

2. If the disclosure relates to a listed transaction, $100,000.

(b) Any person who is required to maintain a list under sub. (7) (b) and who fails
to provide the list to the department no later than 20 business days after the date on
which the person receives the department's request to provide the list, as provided
under sub. (7) (b), shall pay a penalty to the department in an amount that is equal
to $10,000 for each day that the person does not provide the list, beginning with the
day that is 21 business days after the date on which the person receives the
department's request.

(c) The secretary of revenue may waive or abate any penalty imposed under this
subsection, or any portion of such penalty, related to a reportable transaction that
is not a listed transaction, if the waiver or abatement promotes compliance with this
section and effective tax administration or, with regard to the penalty imposed under
par. (b), if, on each day after the time for providing the list without incurring a
penalty has expired, the person demonstrates to the department that the person's
failure to provide the list on that day is because of reasonable cause.

Notwithstanding any other law or rule, a determination by the secretary of revenue
under this paragraph may not be reviewed in any judicial proceeding.

(9) TAX SHELTER PROMOTION. (a) Beginning on the effective date of this
par. .... [revisor inserts date], any person who organizes or assists in
organizing a tax shelter, or directly or indirectly participates in the sale of any
interest in a tax shelter, and who makes or provides or causes another person to make
or provide, in connection with such organization or sale, a statement that the person
knows or has reason to know is false or fraudulent as to any material matter
regarding the allowability of any tax deduction or credit, the excludability of any income, the manipulation of any allocation or apportionment rule, or the securing of any other tax benefit resulting from holding an interest in the entity or participating in the plan or arrangement, shall pay a penalty to the department, with respect to each sale or act of organization described under this paragraph, in an amount equal to 50 percent of the person’s gross income derived from the sale or act.

(b) For purposes of administering this chapter, beginning on the effective date of this paragraph .... [revisor inserts date], a written communication to any person, director, officer, employee, agent, or representative of the person, or any other person holding a capital or profits interest in the person, regarding the promotion of, or advice with respect to, the person’s direct or indirect participation in any tax shelter is not considered a confidential or privileged communication.

(11) INJUNCTION. The department may commence an action in the circuit court of Dane County to enjoin a person from taking any action, or failing to take any action, that is subject to a penalty under this section or in violation of this section or any rules that the department promulgates pursuant to this section.

SECTION 2139. 71.83 (1) (a) 1. of the statutes is amended to read:

71.83 (1) (a) 1. ‘Failure to file.’ In case of failure to file any return required under s. 71.03, 71.24 or 71.44, or 71.775 on the due date prescribed therefor, including any applicable extension of time for filing, unless it is shown that the failure is due to reasonable cause and not due to willful neglect, there shall be added to the amount required to be shown as tax on the return 5% of the amount of the tax if the failure is for not more than one month, with an additional 5% for each additional month or fraction thereof during which the failure continues, not exceeding 25% in the aggregate. For purposes of this subdivision, the amount of tax
required to be shown on the return shall be reduced by the amount of any part of the
tax which is paid on or before the due date prescribed for payment and by the amount
of any credit against the tax which may be claimed upon the return.

SECTION 2139e. 71.83 (1) (a) 6. of the statutes is amended to read:

71.83 (1) (a) 6. ‘Retirement plans.’ Any natural person who is liable for a
penalty for federal income tax purposes under section 72 (m) (5), (q), (t), and (v), 4973,
4974, 4975, or 4980A of the internal revenue code Internal Revenue Code is liable
for 33% of the federal penalty unless the income received is exempt from taxation
under s. 71.05 (1) (a) or (ae). The penalties provided under this subdivision shall be
assessed, levied, and collected in the same manner as income or franchise taxes.

SECTION 2140. 71.90 (2) of the statutes is amended to read:

71.90 (2) DEPOSIT WITH THE SECRETARY OF ADMINISTRATION DEPARTMENT. At any
time while the petition is pending before the tax appeals commission or an appeal
in regard to that petition is pending in a court, the taxpayer may offer to deposit the
entire amount of the additional taxes, penalties, and fines, together with interest,
with the secretary of administration. If an offer to deposit is made, the department
of revenue shall issue a certificate to the secretary of administration authorizing the
secretary to accept payment of such taxes together with interest to the first day of
the succeeding month and to give a receipt. A copy of the certificate shall be mailed
to the taxpayer who shall pay the taxes and interest to the secretary of
administration within 30 days. A copy of the receipt of the secretary of
administration shall be filed with the department. The department shall, upon final
determination of the appeal, certify to the secretary of administration the amount
of the taxes as finally determined and direct the secretary of administration to refund
to the appellant any portion of such payment which has been found to have been
improperly assessed, including interest. The secretary of administration shall make the refunds directed by the certificate within 30 days after receipt. Taxes paid to the secretary of administration under this subsection shall be subject to the interest provided by ss. 71.82 and 71.91 (1) (c) only to the extent of the interest accrued on the taxes prior to the first day of the month succeeding the application for hearing. Any portion of the amount deposited with the secretary of administration which is refunded to the taxpayer shall bear interest at the rate of 9% per year during the time that the funds are on deposit.

**SECTION 2141.** 71.93 (1) (a) 2. of the statutes is amended to read:

71.93 (1) (a) 2. A delinquent child support or spousal support obligation that has been reduced to a judgment and has been submitted by an agency of another state to the department of workforce development children and families for certification under this section.

**SECTION 2142.** 71.93 (1) (a) 4. of the statutes is amended to read:

71.93 (1) (a) 4. An amount that the department of workforce development children and families may recover under s. 49.161 or 49.195 (3) or collect under s. 49.147 (6) (cm), if the department of workforce development children and families has certified the amount under s. 49.85.

**SECTION 2143m.** 73.01 (4) (e) 2. of the statutes is amended to read:

73.01 (4) (e) 2. Except for hearings on ss. 341.405 and 341.45, the department of revenue may choose not to appeal and to nonacquiesce in the decision or order by sending a notice of nonacquiescence to the clerk of the commission, to the revisor of statutes legislative reference bureau for publication in the Wisconsin administrative register and to the taxpayer or the taxpayer’s representative before the time expires for seeking a review of the decision or order under s. 73.015. The effect of this action
is that, although the decision or order is binding on the parties for the instant case, the commission’s conclusions of law, the rationale and construction of statutes in the instant case are not binding upon or required to be followed by the department of revenue in other cases.

**SECTION 2146.** 73.03 (2a) of the statutes is amended to read:

73.03 (2a) To prepare, have published and distribute to each property tax assessor and to others who so request and publish, in electronic form and on the Internet, assessment manuals. The manual shall discuss and illustrate accepted assessment methods, techniques and practices with a view to more nearly uniform and more consistent assessments of property at the local level. The manual shall be amended by the department from time to time to reflect advances in the science of assessment, court decisions concerning assessment practices, costs, and statistical and other information considered valuable to local assessors by the department. The manual shall incorporate standards for the assessment of all types of renewable energy resource systems used in this state as soon as such systems are used in sufficient numbers and sufficient data exists to allow the formulation of valid guidelines. The manual shall incorporate standards, which the department of revenue and the state historical society of Wisconsin shall develop, for the assessment of nonhistoric property in historic districts and for the assessment of historic property, including but not limited to property that is being preserved or restored; property that is subject to a protective easement, covenant or other restriction for historic preservation purposes; property that is listed in the national register of historic places in Wisconsin or in this state’s register of historic places and property that is designated as a historic landmark and is subject to restrictions imposed by a municipality or by a landmarks commission. The manual shall
incorporate general guidelines about ways to determine whether property is taxable in part under s. 70.1105 and examples of the ways that s. 70.1105 applies in specific situations. The manual shall state that assessors are required to comply with s. 70.32 (1g) and shall suggest procedures for doing so. The manual or a supplement to it shall specify per acre value guidelines for each municipality for various categories of agricultural land based on the income that could be generated from its estimated rental for agricultural use, as defined by rule, and capitalization rates established by rule. The manual shall include guidelines for classifying land as agricultural land, as defined in s. 70.32 (2) (c) 1g., and guidelines for distinguishing between land and improvements to land. The cost of the development, preparation, and Internet publication and distribution of the manual and of revisions and amendments to it shall be borne by the assessors and requesters at an individual volume cost or a subscription cost as determined by the department. All receipts shall be credited to the appropriation under s. 20.566 (2) (hi). The department may provide free assessment manuals to other state agencies or exchange them at no cost with agencies of other states or of the federal government for similar information or publications (b).

**SECTION 2147.** 73.03 (28e) of the statutes is created to read:

73.03 (28e) To participate as a member state of the streamlined sales tax governing board which administers the agreement, as defined in s. 77.65 (2) (a), and includes having the governing board enter into contracts that are necessary to implement the agreement on behalf of the member states, and to allocate a portion of the amount collected under ch. 77 through the agreement to the appropriation under s. 20.566 (1) (ho) to pay the dues necessary to participate in the governing
board. The department shall allocate the remainder of such collections to the general fund.

**SECTION 2148.** 73.03 (50) (c) of the statutes is amended to read:

> 73.03 (50) (c) In the case of an applicant who is an individual and who has a social security number, sets forth the social security number of the applicant or, in the case of an applicant who is an individual and who does not have a social security number, submits a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A certificate issued in reliance upon a false statement submitted under this paragraph is invalid.

**SECTION 2149.** 73.03 (50) (d) of the statutes is amended to read:

> 73.03 (50) (d) In the case of a sole proprietor, signs the form or, in the case of other persons, has an individual who is authorized to act on behalf of the person sign the form, or, in the case of a single-owner entity that is disregarded as a separate entity under section 7701 of the Internal Revenue Code, the person is the owner. Any person who may register under this subsection may designate an agent, as defined in s. 77.524 (1) (ag), to register with the department under this subsection in the manner prescribed by the department. In this paragraph, “sign” has the meaning given in s. 77.51 (17r).

**SECTION 2150.** 73.03 (50b) of the statutes is created to read:

> 73.03 (50b) To waive the fee established under sub. (50) for applying for and renewing the business tax registration certificate, if the person who is applying for or renewing the certificate is not required for purposes of ch. 77 to hold such a certificate.
SECTION 2151. 73.03 (50m) of the statutes is amended to read:

73.03 (50m) To enter into a memorandum of understanding with the department of workforce development children and families under s. 49.857. The department of revenue shall suspend, refuse to issue or refuse to renew any certificate issued under sub. (50) as provided in the memorandum of understanding entered into under s. 49.857. Notwithstanding ss. 71.78 and 77.61 (5), the department of revenue shall disclose to the department of workforce development children and families the social security number of any applicant for a certificate issued under sub. (50) as provided in the memorandum of understanding.

SECTION 2152. 73.03 (52n) of the statutes is created to read:

73.03 (52n) To enter into agreements with federally recognized tribes located in this state that provide for offsetting state tax refunds against tribal obligations and to charge a fee up to $25 per transaction to the debtor for the administrative costs of such setoffs. The administrative costs collected under this subsection shall be credited to the appropriation under s. 20.566 (1) (h). Setoffs under ss. 71.93, 71.935, and 73.03 (52) shall occur before setoffs under this subsection. Any legal proceeding to contest a setoff under this subsection shall be brought against the tribe under the process established by the tribe.

SECTION 2153. 73.03 (61) of the statutes is created to read:

73.03 (61) To do all of the following related to the Uniform Sales and Use Tax Administration Act:

   (a) Certify compliance with the agreement, as defined in s. 77.65 (2) (a).

   (b) Pursuant to the agreement, as defined in s. 77.65 (2) (a), certify certified service providers, as defined in s. 77.51 (1g), and certified automated systems, as defined in s. 77.524 (1) (am).
(c) Consistent with the agreement, as defined in s. 77.65 (2) (a), establish performance standards and eligibility criteria for a seller that sells tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services in at least 5 states that are signatories to the agreement, as defined in s. 77.65 (2) (a); that has total annual sales revenue of at least $500,000,000; that has a proprietary system that calculates the amount of tax owed to each taxing jurisdiction in which the seller sells tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services; and that has entered into a performance agreement with the states that are signatories to the agreement, as defined in s. 77.65 (2) (a). For purposes of this paragraph, “seller” includes an affiliated group of sellers using the same proprietary system to calculate the amount of tax owed in each taxing jurisdiction in which the sellers sell tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services.

(d) Issue a tax identification number to a person who claims an exemption under subch. III or V of ch. 77 and who is not required to register with the department for the purposes of subch. III or V of ch. 77 and establish procedures for the registration of such a person.

(e) Maintain a database that is accessible to sellers and certified service providers, as defined in s. 77.51 (1g), that indicates whether items defined in accordance with the Uniform Sales and Use Tax Administration Act are taxable or nontaxable.

(f) Maintain a database that is accessible to sellers and certified service providers, as defined in s. 77.51 (1g), and available in a downloadable format, that indicates tax rates, taxing jurisdiction boundaries, and zip code or address
assignments related to the administration of taxes imposed under subchs. III and V of ch. 77.

(g) Set forth the information that the seller shall provide to the department for tax exemptions claimed by purchasers and establish the manner in which a seller shall provide such information to the department.

(h) Provide monetary allowances, in addition to the retailer’s discount provided under s. 77.61 (4) (c), to certified service providers, as defined in s. 77.51 (1g), and sellers that use certified automated systems, as defined in s. 77.524 (1) (am), or proprietary systems, pursuant to the agreement as defined in s. 77.65 (2) (a).

**SECTION 2153p.** 73.03 (62) of the statutes is amended to read:

73.03 (62) To prepare and maintain a list of all persons who owe delinquent taxes, including interest, penalties, fees, and costs, to the department, in excess of $25,000, which are unpaid for more than 90 days after all appeal rights have expired; and to post the names of persons from this list on the Internet at a site that is created and maintained by the department for this purpose; and to distribute the posted information to Internet search engines so the information is searchable. The Internet site shall list the name, address, type of tax due, and amount of tax due, including interest, penalties, fees, and costs for each person who has one of the delinquent taxpayer accounts, and the Internet site shall also contain a special page for the persons who have the 100 largest delinquent taxpayer accounts. Except as otherwise provided in this subsection, the department shall update the Internet site on a quarterly basis, and shall send the updates to the Internet search engines. The department may not post on the Internet or distribute to Internet search engines the name of any person who has reached an agreement or compromise with the department, or the department of justice, under s. 71.92 and is in compliance with
that agreement, regarding the payment of delinquent taxes, or the name of any person who is protected by a stay that is in effect under the Federal Bankruptcy Code; the Internet posting and Internet search engines shall be updated each business day, as defined in s. 562.01 (3m), to comply with these prohibitions.

SECTION 2154. 73.03 (63) of the statutes is created to read:

73.03 (63) Notwithstanding the amount limitations specified under ss. 71.07 (5b) (c) 1. and (5d) (c) 1., 71.28 (5b) (c) 1., 71.47 (5b) (c) 1., and 560.205 (3) (d), in consultation with the department of commerce, to carry forward to subsequent taxable years unclaimed credit amounts of the early stage seed investment credits under ss. 71.07 (5b), 71.28 (5b), and 71.47 (5b) and the angel investment credit under s. 71.07 (5d). Annually, no later than July 1, the department of commerce shall submit to the department of revenue its recommendations for the carry forward of credit amounts as provided under this subsection.

SECTION 2155. 73.0301 (1) (d) 2. of the statutes is amended to read:

73.0301 (1) (d) 2. A license issued by the department of health and family services children and families under s. 48.66 (1) (a) to a child welfare agency, group home, shelter care facility, or day care center, as required by s. 48.60, 48.625, 48.65, or 938.22 (7).

SECTION 2156m. 73.0301 (1) (e) of the statutes, as affected by 2007 Wisconsin Act 1, is amended to read:

73.0301 (1) (e) “Licensing department” means the department of administration; the board of commissioners of public lands; the department of commerce; the department of children and families; the government accountability board; the department of financial institutions; the department of health and family services; the department of natural resources; the department of public instruction;
the department of regulation and licensing; the department of workforce
development; the office of the commissioner of insurance; or the department of
transportation.

**SECTION 2157.** 73.0301 (2) (c) 1. am. of the statutes is amended to read:

73.0301 (2) (c) 1. am. If the applicant is an individual and does not have a social
security number, a statement made or subscribed under oath or affirmation that the
applicant does not have a social security number. The form of the statement shall
be prescribed by the department of workforce development children and families. A
license issued in reliance upon a false statement submitted under this subd. 1. am.
is invalid.

**SECTION 2158.** 73.0301 (2) (c) 2. of the statutes is amended to read:

73.0301 (2) (c) 2. A licensing department may not disclose any information
received under subd. 1. a. or b. to any person except to the department of revenue for
the purpose of requesting certifications under par. (b) 2. in accordance with the
memorandum of understanding under sub. (4) and administering state taxes or to
the department of workforce development children and families for the purpose of
administering s. 49.22.

**SECTION 2159.** 74.09 (3) (b) 6m. of the statutes is created to read:

74.09 (3) (b) 6m. The amount of the credit under s. 79.10 (5m) allocable to the
property for the previous year and the current year, and the percentage change
between those years.

**SECTION 2160.** 74.09 (3) (b) 7. of the statutes is amended to read:

74.09 (3) (b) 7. The amount obtained by subtracting the amount amounts under
subd. subds. 6. and 6m. from the amount under subd. 5., for the previous year and
the current year, and the percentage change in that amount between those years.
SECTION 2161. 76.07 (4g) (b) 8. of the statutes is amended to read:

76.07 (4g) (b) 8. Determine transport-related revenue by adding public service revenue allocated to this state on the basis of routes for which the company is authorized to receive subsidy payments, mutual aid allocated to this state on the basis of the ratio of transport revenues allocated to this state to transport revenues everywhere in the previous year, in-flight sales allocated to this state as they are allocated under s. 77.51 (14r) 77.522 and all other transport-related revenues from sales made in this state.

SECTION 2161g. 76.29 (1) (f) of the statutes is amended to read:

76.29 (1) (f) “Tax period” means each calendar year or portion of a calendar year from January 1, 2004, to December 31, 2009.

SECTION 2161h. 76.29 (2) of the statutes is amended to read:

76.29 (2) IMPOSITION. There is imposed on every light, heat, and power company and electric cooperative that owns an electric utility plant, an annual license fee to be assessed by the department on or before May 1, 2005, and every May 1 thereafter, ending with the assessment on May 1, 2010, measured by the gross revenues of the preceding tax period in an amount equal to the apportionment factor multiplied by gross revenues multiplied by 1.59%. The fee shall become delinquent if not paid when due and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. Gross revenues earned by a light, heat, and power company after December 31, 2009, are subject to the license fee imposed under s. 76.28 (2). Gross revenues earned by an electric cooperative after December 31, 2009, are subject to the license fee imposed under s. 76.48 (1r).

SECTION 2161n. 76.635 (1) (a) of the statutes is amended to read:
76.635 (1) (a) “Certified capital company” has the meaning given in s. 560.30 (1).  
(2) 560.29 (1) (a).

SECTION 2161o. 76.635 (1) (b) of the statutes is amended to read:

76.635 (1) (b) “Certified capital investment” has the meaning given in s. 560.30 (4).

(4) 560.29 (1) (b).

SECTION 2161p. 76.635 (1) (c) of the statutes is amended to read:

76.635 (1) (c) “Investment date” has the meaning given in s. 560.30 (1) (d).

(1) (d).

SECTION 2161q. 76.635 (1) (d) of the statutes is amended to read:

76.635 (1) (d) “Investment pool” has the meaning given in s. 560.30 (1) (e).

(1) (e).

SECTION 2161r. 76.635 (1) (e) of the statutes is amended to read:

76.635 (1) (e) “Qualified investment” has the meaning given in s. 560.30 (1) (g).

SECTION 2161s. 76.635 (4) (a) of the statutes is amended to read:

76.635 (4) (a) If a certified capital company is decertified, or an investment pool is disqualified, under s. 560.37, 2005 stats., before the certified capital company fulfills the investment requirement under s. 560.34 (1m) (a) 1., 2005 stats., with respect to the investment pool, any insurer that has received a credit under this section with respect to that investment pool shall repay that credit to the commissioner of insurance, for deposit in the general fund, and may not claim more credit in respect to that investment pool.

SECTION 2161t. 76.635 (4) (b) of the statutes is amended to read:

76.635 (4) (b) If a certified capital company fulfills the investment requirement under s. 560.34 (1m) (a) 1., 2005 stats., with respect to an investment pool but the
certified capital company is decertified, or an investment pool is disqualified, under s. 560.37, 2005 stats., before the certified capital company fulfills the investment requirement under s. 560.34 (1m) (a) 2., 2005 stats., for that investment pool, any insurer that has received a credit under this section with respect to that investment pool shall repay all credits that were claimed for taxable years after the taxable year that includes the 3rd anniversary of the investment date of the investment pool and may claim no more credits for taxable years after the taxable year that includes the 3rd anniversary of the investment date of the investment pool.

**SECTION 2162.** 76.636 (1) (e) of the statutes is amended to read:

76.636 (1) (e) “Member of a targeted group” means a person who resides in an area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay project position under s. 49.147 (3m), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified in the manner under s. 71.47 (1dj) (am) 3. by a designated local agency, as defined in s. 71.47 (1dj) (am) 2.

**SECTION 2163.** 76.636 (2) (b) of the statutes is amended to read:

76.636 (2) (b) The amount determined by multiplying the amount determined under s. 560.785 (1) (b) by the number of full-time jobs created in a development zone
and filled by a member of a targeted group and by then subtracting the subsidies paid
under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m)
(c) for those jobs.

SECTION 2164. 76.636 (2) (c) of the statutes is amended to read:

76.636 (2) (c) The amount determined by multiplying the amount determined
under s. 560.785 (1) (c) by the number of full-time jobs created in a development zone
and not filled by a member of a targeted group and by then subtracting the subsidies
paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147
(3m) (c) for those jobs.

SECTION 2165. 76.636 (2) (d) of the statutes is amended to read:

76.636 (2) (d) The amount determined by multiplying the amount determined
under s. 560.785 (1) (bm) by the number of full-time jobs retained, as provided in the
rules under s. 560.785, excluding jobs for which a credit has been claimed under s.
71.47 (1dj), in an enterprise development zone under s. 560.797 and for which
significant capital investment was made and by then subtracting the subsidies paid
under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m)
(c) for those jobs.

SECTION 2166. 76.636 (2) (e) of the statutes is amended to read:

76.636 (2) (e) The amount determined by multiplying the amount determined
under s. 560.785 (1) (c) by the number of full-time jobs retained, as provided in the
rules under s. 560.785, excluding jobs for which a credit has been claimed under s.
71.47 (1dj), in a development zone and not filled by a member of a targeted group and
by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
reimbursements paid under s. 49.147 (3m) (c) for those jobs.
SECTION 2170. 77.51 (1) of the statutes is renumbered 77.51 (1fd) and amended to read:

77.51 (1fd) “Business” includes any activity engaged in by any person or caused to be engaged in by any person with the object of gain, benefit or advantage, either direct or indirect, and includes also the furnishing and distributing of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services for a consideration by social clubs and fraternal organizations to their members or others.

SECTION 2172. 77.51 (1b) of the statutes is created to read:

77.51 (1b) “Alcoholic beverage” means a beverage that is suitable for human consumption and that contains 0.5 percent or more of alcohol by volume.

SECTION 2173. 77.51 (1ba) of the statutes is created to read:

77.51 (1ba) “Ancillary services” means services that are associated with or incidental to providing telecommunications services, including detailed telecommunications billing, directory assistance, vertical service, and voice mail services.

SECTION 2176. 77.51 (1f) of the statutes is created to read:

77.51 (1f) “Bundled transaction” means the retail sale of 2 or more products, not including real property and services to real property, if the products are distinct and identifiable products and sold for one nonitemized price. “Bundled transaction” does not include any of the following:

(a) The sale of any products for which the sales price varies or is negotiable based on the purchaser’s selection of the products included in the transaction.
(b) 1. The retail sale of tangible personal property and a service, if the tangible personal property is essential to the use of the service, and provided exclusively in connection with the service, and if the true object of the transaction is the service.

3. The retail sale of a service and items or property under s. 77.52 (1) (b) or (c), if such property or items are essential to the use of the service, and provided exclusively in connection with the service, and if the true object of the transaction is the service.

(c) The retail sale of services, if one of the services is essential to the use or receipt of another service, and provided exclusively in connection with the other service, and if the true object of the transaction is the other service.

(d) A transaction that includes taxable and nontaxable products, if the seller’s purchase price or the sales price of the taxable products is no greater than 10 percent of the seller’s total purchase price or sales price of all the bundled products, as determined by the seller using either the seller’s purchase price or sales price, but not a combination of both, or, in the case of a service contract, the full term of the service contract.

(e) The retail sale of taxable tangible personal property or items or property under s. 77.52 (1) (b) or (c) and tangible personal property or items or property under s. 77.52 (1) (b) or (c) that is exempt from the taxes imposed under this subchapter, if the transaction includes food and food ingredients, drugs, durable medical equipment, mobility-enhancing equipment, prosthetic devices, or medical supplies and if the seller’s purchase price or the sales price of the taxable tangible personal property or items or property under s. 77.52 (1) (b) or (c) is no greater than 50 percent of the seller’s total purchase price or sales price of all the tangible personal property or items or property under s. 77.52 (1) (b) or (c) included in what would otherwise be
a bundled transaction, as determined by the seller using either the seller’s purchase
price or the sales price, but not a combination of both.

SECTION 2177. 77.51 (1fm) of the statutes is created to read:

77.51 (1fm) “Candy” means a preparation of sugar, honey, or other natural or
artificial sweetener combined with chocolate, fruit, nuts, or other ingredients or
flavorings in the form of bars, drops, or pieces. “Candy” does not include a
preparation that contains flour or that requires refrigeration.

SECTION 2178. 77.51 (1j) of the statutes is created to read:

77.51 (1j) “Catalog” means a printed and bound, stitched, sewed, or stapled
book containing a list and description of property or services for sale, regardless of
whether a price is specified.

SECTION 2179. 77.51 (1n) of the statutes is created to read:

77.51 (1n) “Computer” means an electronic device that accepts information in
digital or similar form and that manipulates such information to achieve a result
based on a sequence of instructions.

SECTION 2180. 77.51 (1p) of the statutes is created to read:

77.51 (1p) “Computer software” means a set of coded instructions designed to
cause a computer or automatic data processing equipment to perform a task.

SECTION 2181. 77.51 (1r) of the statutes is created to read:

77.51 (1r) “Conference bridging service” means an ancillary service that links
2 or more participants of an audio or video conference call and may include providing
a telephone number, but does not include the telecommunications services used to
reach the conference bridge.

SECTION 2182. 77.51 (2k) of the statutes is created to read:
77.51 (2k) “Delivered electronically” means delivered to a purchaser by means other than by tangible storage media.

**Section 2183.** 77.51 (2m) of the statutes is created to read:

77.51 (2m) “Delivery charges” means charges by a seller to prepare and deliver tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services to a location designated by the purchaser of the tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services, including charges for transportation, shipping, postage, handling, crating, and packing.

**Section 2184.** 77.51 (3c) of the statutes is created to read:

77.51 (3c) “Detailed telecommunications billing service” means an ancillary service that separately indicates information pertaining to individual calls on a customer’s billing statement.

**Section 2185.** 77.51 (3n) of the statutes is created to read:

77.51 (3n) “Dietary supplement” means a product, other than tobacco, that is intended to supplement a person’s diet, if all of the following apply:

(a) The product contains any of the following ingredients or any combination of any of the following ingredients:

1. A vitamin.
2. A mineral.
3. An herb or other botanical.
4. An amino acid.
5. A dietary substance that is intended for human consumption to supplement the diet by increasing total dietary intake.
6. A concentrate, metabolite, constituent, or extract.
(b) The product is intended for ingestion in tablet, capsule, powder, soft-gel, gel-cap, or liquid form, or, if not intended for ingestion in such forms, is not represented as conventional food and is not represented for use as the sole item of a meal or diet.

(c) The product is required to be labeled as a dietary supplement as required under 21 CFR 101.36.

SECTION 2190. 77.51 (3pd) of the statutes is created to read:

77.51 (3pd) “Direct mail” means printed material that is delivered by the U.S. postal service or other delivery service to a mass audience or to addressees on a mailing list provided by or at the direction of the purchaser of the printed material, if the cost of the printed material or any tangible personal property or items or property under s. 77.52 (1) (b) or (c) included with the printed material is not billed directly to the recipients of the printed material. “Direct mail” includes any tangible personal property or items or property under s. 77.52 (1) (b) or (c) provided directly or indirectly by the purchaser of the printed material to the seller of the printed material for inclusion in any package containing the printed material, including billing invoices, return envelopes, and additional marketing materials. “Direct mail” does not include multiple items of printed material delivered to a single address.

SECTION 2191. 77.51 (3pe) of the statutes is created to read:

77.51 (3pe) “Directory assistance” means an ancillary service that provides telephone numbers or addresses.

SECTION 2192. 77.51 (3pf) of the statutes is created to read:

77.51 (3pf) “Distinct and identifiable product” does not include any of the following:
(a) Packaging, including containers, boxes, sacks, bags, bottles, and envelopes; and other materials, including wrapping, labels, tags, and instruction guides; that accompany, and are incidental or immaterial to, the retail sale of any product.

(b) A product that is provided free of charge to the consumer in conjunction with the purchase of another product, if the sales price of the other product does not vary depending on whether the product provided free of charge is included in the transaction.

(c) Any items specified under sub. (12m) (a) or (15b) (a).

**SECTION 2193.** 77.51 (3pj) of the statutes is created to read:

77.51 (3pj) “Drug” means a compound, substance, or preparation, or any component of them, other than food and food ingredients, dietary supplements, or alcoholic beverages, to which any of the following applies:

(a) It is listed in the United States Pharmacopoeia, Homeopathic Pharmacopoeia of the United States, or National Formulary, or any supplement to any of them.

(b) It is intended for use in diagnosing, curing, mitigating, treating, or preventing a disease.

(c) It is intended to affect a function or structure of the body.

**SECTION 2194.** 77.51 (3pm) of the statutes is created to read:

77.51 (3pm) “Durable medical equipment” means equipment, including the repair parts and replacement parts for the equipment that is primarily and customarily used for a medical purpose related to a person; that can withstand repeated use; that is not generally useful to a person who is not ill or injured; and that is not placed in or worn on the body. “Durable medical equipment” does not include mobility-enhancing equipment.
SECTION 2195. 77.51 (3pn) of the statutes is created to read:

77.51 (3pn) “Eight hundred service” means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call and is marketed under “800,” “855,” “866,” “877,” or “888” toll-free calling, or any other number designated as toll-free by the federal communications commission.

SECTION 2196. 77.51 (3po) of the statutes is created to read:

77.51 (3po) “Electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

SECTION 2198. 77.51 (3rm) of the statutes is created to read:

77.51 (3rm) “Fixed wireless service” means a telecommunications service that provides radio communication between fixed points.

SECTION 2199. 77.51 (3t) of the statutes is created to read:

77.51 (3t) “Food and food ingredient” means a substance in liquid, concentrated, solid, frozen, dried, or dehydrated form, that is sold for ingestion, or for chewing, by humans and that is ingested or chewed for its taste or nutritional value. “Food and food ingredient” does not include alcoholic beverages or tobacco.

SECTION 2200. 77.51 (4) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed.

SECTION 2200m. 77.51 (4) (c) 1. of the statutes is amended to read:

77.51 (4) (c) 1. All receipts, cash, credits, and property except as provided in par. (b) 3., including credits for which a person’s books and records show that the transaction created, with regard to the transferee, an obligation to pay a certain amount of money or an increase in accounts payable or, with regard to the transferor, a right to receive a certain amount of money or an increase in accounts receivable.

SECTION 2201. 77.51 (5) of the statutes is amended to read:
77.51 (5) For purposes of subs. (13) (e) and (f) and (14) (L) (15a) and s. 77.52 (2m), “incidental” means depending upon or appertaining to something else as primary; something necessary, appertaining to, or depending upon another which is termed the principal; something incidental to the main purpose of the service. Tangible personal property, items or property under s. 77.52 (1) (b) or (c), transferred by a service provider is incidental to the service if the purchaser’s main purpose or objective is to obtain the service rather than the property or items, even though the property or items may be necessary or essential to providing the service.

**SECTION 2202.** 77.51 (5d) of the statutes is created to read:

77.51 (5d) “International telecommunications services” means telecommunications services that originate or terminate in the United States, including the District of Columbia and any U.S. territory or possession and originate or terminate outside of the United States, including the District of Columbia and any U.S. territory or possession.

**SECTION 2203.** 77.51 (5n) of the statutes is created to read:

77.51 (5n) “Interstate telecommunications services” means telecommunications services that originate in one state or U.S. territory or possession and terminate in a different state or U.S. territory or possession.

**SECTION 2204.** 77.51 (5r) of the statutes is created to read:

77.51 (5r) “Intrastate telecommunications services” means telecommunications services that originate in one state or U.S. territory or possession and terminate in the same state or U.S. territory or possession.

**SECTION 2205.** 77.51 (6m) of the statutes is renumbered 77.51 (5m).

**SECTION 2206.** 77.51 (7) of the statutes is repealed and recreated to read:
(a) “Lease or rental” means any transfer of possession or control of tangible personal property for a fixed or indeterminate term and for consideration and includes:

1. A transfer that includes future options to purchase or extend.
2. Agreements related to the transfer of possession or control of motor vehicles or trailers, if the amount of any consideration may be increased or decreased by reference to the amount realized on the sale or other disposition of such motor vehicles or trailers, consistent with section 7701 (h) (1) of the Internal Revenue Code.

(b) “Lease or rental” does not include any of the following:

1. A transfer of possession or control of tangible personal property under a security agreement or deferred payment plan, if such agreement or plan requires transferring title to the tangible personal property after making all required payments.
2. A transfer of possession or control of tangible personal property under any agreement that requires transferring title to the tangible personal property after making all required payments and after paying an option price that does not exceed the greater of $100 or 1 percent of the total amount of the required payments.
3. Providing tangible personal property along with an operator, if the operator is necessary for the tangible personal property to perform in the manner for which it is designed and if the operator does more than maintain, inspect, or set up the tangible personal property.

(c) 1. Transfers described under par. (a) are considered a lease or rental, regardless of whether such transfer is considered a lease or rental under generally accepted accounting principles, or any provision of federal or local law, or any other provision of state law.
2. Transfers described under par. (b) are not considered a lease or rental, regardless of whether such transfer is considered a lease or rental under generally accepted accounting principles, or any provision of federal or local law, or any other provision of state law.

SECTION 2207. 77.51 (7g) of the statutes is created to read:

77.51 (7g) “Load-and-leave” means delivery to a purchaser by using a tangible storage media that is not physically transferred to the purchaser.

SECTION 2208. 77.51 (7k) of the statutes is created to read:

77.51 (7k) “Mobile wireless service” means a telecommunications service for which the origination or termination points of the service’s transmission, conveyance, or routing are not fixed, regardless of the technology used to transmit, convey, or route the service. “Mobile wireless service” includes a telecommunications service provided by a commercial mobile radio service provider.

SECTION 2209. 77.51 (7m) of the statutes is created to read:

77.51 (7m) “Mobility-enhancing equipment” means equipment, including the repair parts and replacement parts for the equipment, that is primarily and customarily used to provide or increase the ability of a person to move from one place to another; that may be used in a home or motor vehicle; and that is generally not used by a person who has normal mobility. “Mobility-enhancing equipment” does not include a motor vehicle or any equipment on a motor vehicle that is generally provided by a motor vehicle manufacturer. “Mobility-enhancing equipment” does not include durable medical equipment.

SECTION 2210. 77.51 (8m) of the statutes is created to read:

77.51 (8m) “Nine hundred service” means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber’s customers to call the
subscriber’s prerecorded announcement or live service. “Nine hundred service” does not include any charge for collection services provided by the seller of the telecommunications services to the subscriber or for any product or service the subscriber sells to the subscriber’s customers. A “nine hundred service” is designated with the “900” number or any other number designated by the federal communications commission.

**SECTION 2211.** 77.51 (9) (a) of the statutes is amended to read:

77.51 (9) (a) Isolated and sporadic sales of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services where the infrequency, in relation to the other circumstances, including the sales price and the gross profit, support the inference that the seller is not pursuing a vocation, occupation or business or a partial vocation or occupation or part-time business as a vendor of personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services. No sale of any tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable service may be deemed an occasional sale if at the time of such sale the seller holds or is required to hold a seller’s permit, except that this provision does not apply to an organization required to hold a seller’s permit solely for the purpose of conducting bingo games and except as provided in par. (am).

**SECTION 2212.** 77.51 (9) (am) of the statutes is amended to read:

77.51 (9) (am) The sale of personal property, other than inventory held for sale, previously used by a seller to conduct its trade or business at a location after that person has ceased actively operating in the regular course of business as a seller of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services at that location, even though the seller holds a seller’s permit for one or more other locations.
**SECTION 2213.** 77.51 (9p) of the statutes is created to read:

77.51 (9p) “One nonitemized price” does not include a price that is separately identified by product on a binding sales document, or other sales–related document, that is made available to the customer in paper or electronic form, including an invoice, a bill of sale, a receipt, a contract, a service agreement, a lease agreement, a periodic notice of rates and services, a rate card, or a price list.

**SECTION 2214.** 77.51 (9s) of the statutes is created to read:

77.51 (9s) “Paging service” means a telecommunications service that transmits coded radio signals to activate specific pagers and may include messages or sounds.

**SECTION 2215.** 77.51 (10) of the statutes is amended to read:

77.51 (10) “Person” includes any natural person, firm, partnership, limited liability company, joint venture, joint stock company, association, public or private corporation, the United States, the state, including any unit or division of the state, any county, city, village, town, municipal utility, municipal power district or other governmental unit, cooperative, unincorporated cooperative association, estate, trust, receiver, personal representative, any other fiduciary, any other legal entity, and any representative appointed by order of any court or otherwise acting on behalf of others. “Person” also includes the owner of a single–owner entity that is disregarded as a separate entity under ch. 71.

**SECTION 2216.** 77.51 (10d) of the statutes is created to read:

77.51 (10d) “Prepaid calling service” means the right to exclusively access telecommunications services, if that right is paid for in advance of providing such services, requires using an access number or authorization code to originate calls, and is sold in predetermined units or dollars that decrease with use in a known amount.
SECTION 2217. 77.51 (10f) of the statutes is created to read:

77.51 (10f) “Prepaid wireless calling service” means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content, and ancillary services, and that is paid for prior to use and sold in predetermined dollar units whereby the number of units declines with use in a known amount.

SECTION 2218. 77.51 (10m) of the statutes is created to read:

77.51 (10m) (a) “Prepared food” means:

1. Food and food ingredients sold in a heated state.

2. Food and food ingredients heated by the retailer, except as provided in par. (b).

3. Food and food ingredients sold with eating utensils that are provided by the retailer of the food and food ingredients, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. In this subdivision, “plate” does not include a container or packaging used to transport food and food ingredients. For purposes of this subdivision, a retailer provides utensils if any of the following applies:

   a. The utensils are available to purchasers and the retailer’s sales of prepared food under subds. 1. and 2., soft drinks, and alcoholic beverages at an establishment are more than 75 percent of the retailer’s total sales at that establishment, as determined under par. (c).

   b. For retailers not described under subd. 3. a., the retailer’s customary practice is to physically give or hand the utensils to the purchaser, not including plates, glasses, or cups that are necessary for the purchaser to receive the food and food ingredients and that the retailer makes available to the purchaser.
4. Except as provided in par. (b), 2 or more food ingredients mixed or combined by a retailer for sale as a single item.

(b) “Prepared food” does not include:

1. For purposes of par. (a) 2. and 4., 2 or more food ingredients mixed or combined by a retailer for sale as a single item, if the retailer’s primary classification in the 2002 North American Industry Classification System, published by the federal office of management and budget, is manufacturing under subsector 311, not including bakeries and tortilla manufacturing under industry group number 3118.

2. For purposes of par. (a) 2. and 4., 2 or more food ingredients mixed or combined by a retailer for sale as a single item, sold unheated, and sold by volume or weight.

3. For purposes of par. (a) 2. and 4., bakery items made by a retailer, including breads, rolls, pastries, buns, biscuits, bagels, croissants, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies, and tortillas.

4. For purposes of par. (a) 4., food and food ingredients that are only sliced, repackaged, or pasteurized by a retailer.

5. For purposes of par. (a) 4., eggs, fish, meat, and poultry, and foods containing any of them in raw form, that require cooking by the consumer, as recommended by the food and drug administration in chapter 3, part 401.11 of its food code to prevent food-borne illnesses.

(c) 1. The percentage specified under par. (a) 3. a. shall be determined using the following:

a. A numerator that includes sales of prepared food, as defined in par. (a) 1. and 2. and food for which plates, bowls, glasses, or cups are necessary to receive the food, but not including alcoholic beverages.
b. A denominator that includes all food and food ingredients, including prepared food, candy, dietary supplements, and soft drinks, but not including alcoholic beverages.

2. a. If the percentage determined under subd. 1. is 75 percent or less, utensils are considered to be provided by the retailer if the retailer’s customary practice is to physically give or hand the utensils to the purchaser or, in the case of plates, bowls, glasses, or cups that are necessary to receive the food, to make such items available to the purchaser.

   b. If the percentage determined under subd. 1. is greater than 75 percent, utensils are considered to be provided by the retailer if the utensils are made available to the purchaser.

3. For a retailer whose percentage determined under subd. 1. is greater than 75 percent, an item sold by the retailer that contains 4 or more servings packaged as 1 item and sold for a single price does not become prepared food simply because the retailer makes utensils available to the purchaser of the item, but does become prepared food if the retailer physically gives or hands utensils to the purchaser of the item. For purposes of this subdivision 3. a., serving sizes are based on the information contained on the label of each item sold, except that, if the item has no label, the serving size is based on the retailer’s reasonable determination.

4. a. Except as provided in subd. 4. b., if a retailer sells food items that have a utensil placed in a package by a person other than the retailer, the utensils are considered to be provided by the retailer.

   b. Except as provided in subds. 2. and 3., if a retailer sells food items that have a utensil placed in a package by a person other than the retailer and the person’s primary classification in the 2002 North American Industry Classification System,
published by the federal office of management and budget, is manufacturing under
subsector 311, the utensils are not considered to be provided by the retailer.

5. For purposes of par. (a) 3., a retailer shall determine the percentage for the
retailer’s tax year or business fiscal year, based on the retailer’s data from the
retailer’s prior tax year or business fiscal year, as soon as practical after the retailer’s
accounting records are available, but not later than 90 days after the day on which
the retailer’s tax year or business fiscal year begins. For retailer’s with more than
one establishment in this state, a single determination under subd. 1. that combines
the information for all of the retailer’s establishments in this state shall be made
annually, as provided in this subdivision, and apply to each of the retailer’s
establishments in this state. A retailer that has no prior tax year or business fiscal
year shall make a good faith estimate of its percentage for purposes of par. (a) 3. for
the retailer’s first tax year or business fiscal year and shall adjust the estimate
prospectively after the first 3 months of the retailer’s operations if the actual
percentage is materially different from the estimated percentage.

SECTION 2219. 77.51 (10n) of the statutes is created to read:

77.51 (10n) “Prescription” means an order, formula, or recipe that is issued by
any oral, written, electronic, or other means of transmission and by a person who is
authorized by the laws of this state to issue such an order, formula, or recipe.

SECTION 2220. 77.51 (10r) of the statutes is created to read:

77.51 (10r) “Prewritten computer software” means any of the following:

(a) Computer software that is not designed and developed by the author or
creator of the software according to a specific purchaser’s specifications.

(b) Computer software upgrades that are not designed and developed by the
author or creator of the software according to a specific purchaser’s specifications.
(c) Computer software that is designed and developed by the author or creator of the software according to a specific purchaser’s specifications and that is sold to another purchaser.

(d) Any combination of computer software under pars. (a) to (c), including any combination with any portion of such software.

(e) Computer software as described under pars. (a) to (d), and any portion of such software, that is modified or enhanced by any degree to a specific purchaser’s specifications, except such modification or enhancement that is reasonably and separately indicated on an invoice, or other statement of the price, provided to the purchaser.

SECTION 2221. 77.51 (10s) of the statutes is created to read:

77.51 (10s) “Private communication service” means a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of communications channels, regardless of the manner in which the communications channel or group of communications channels is connected, and includes switching capacity, extension lines, stations, and other associated services that are provided in connection with the use of such channel or channels.

SECTION 2222. 77.51 (11d) of the statutes is created to read:

77.51 (11d) “Product” includes tangible personal property, items and property under s. 77.52 (1) (b) and (c), and services.

SECTION 2223. 77.51 (11m) of the statutes is created to read:

77.51 (11m) “Prosthetic device” means a device, including the repair parts and replacement parts for the device, that is placed in or worn on the body to artificially replace a missing portion of the body; to prevent or correct a physical deformity or malfunction; or to support a weak or deformed portion of the body.
SECTION 2224ac. 77.51 (12) (a) of the statutes is amended to read:

77.51 (12) (a) Any transfer of title, possession, ownership, enjoyment, or use by: cash or credit transaction, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatever of tangible personal property for a consideration, including any transaction for which a person’s books and records show the transaction created, with regard to the transferee, an obligation to pay a certain amount of money or an increase in accounts payable or, with regard to the transferor, a right to receive a certain amount of money or an increase in accounts receivable;

SECTION 2224ae. 77.51 (12) (a) of the statutes, as affected by 2007 Wisconsin Act ... (this act), is repealed and recreated to read:

77.51 (12) (a) Any transfer of title, possession, ownership, enjoyment, or use by: cash or credit transaction, exchange, barter, lease or rental, conditional or otherwise, in any manner or by any means whatever of tangible personal property or items or property under s. 77.52 (1) (b) or (c) for a consideration, including any transaction for which a person’s books and records show the transaction created, with regard to the transferee, an obligation to pay a certain amount of money or an increase in accounts payable or, with regard to the transferor, a right to receive a certain amount of money or an increase in accounts receivable;

SECTION 2225. 77.51 (12) (b) of the statutes is amended to read:

77.51 (12) (b) A transaction whereby the possession of property or items or property under s. 77.52 (1) (b) or (c) is transferred but the seller retains the title as security for the payment of the price.

SECTION 2226. 77.51 (12m) of the statutes is created to read:
77.51 (12m) (a) “Purchase price” means the total amount of consideration, including cash, credit, property, and services, for which tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services are sold, leased, or rented, valued in money, whether paid in money or otherwise, without any deduction for the following:

1. The seller’s cost of the property or items or property under s. 77.52 (1) (b) or (c).

2. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller.

3. Charges by the seller for any services necessary to complete a sale, not including delivery and installation charges.

4. a. Delivery charges, except as provided in par. (b) 4.

   b. If a shipment includes property or items or property under s. 77.52 (2) (b) or (c) that are subject to tax under this subchapter and property or items that are not subject to tax under this subchapter, the amount of the delivery charge that the seller allocates to the property or items that are subject to tax under this subchapter is based on the total purchase price of the property or items that are subject to tax under this subchapter as compared to the total purchase price of all the property or items or on the total weight of the property or items that are subject to tax under this subchapter as compared to the total weight of all the property or items, except that if the seller does not make the allocation under this subd. 4. b., the purchaser shall allocate the delivery charge amount, consistent with this subd. 4. b.

5. Installation charges.

   (b) “Purchase price” does not include:
1. Discounts, including cash, terms, or coupons, that are not reimbursed by a 3rd party, except as provided in par. (c); that are allowed by a seller; and that are taken by a purchaser on a sale.

2. Interest, financing, and carrying charges from credit that is extended on a sale of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services, if the amount of the interest, financing, or carrying charges is separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser.

3. Any taxes legally imposed directly on the purchaser that are separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser.

4. Delivery charges for direct mail.

5. In all transactions in which an article of tangible personal property or items under s. 77.52 (2) (b) or (c) are traded toward the purchase of an article of greater value, the amount of the purchase price that represents the amount allowed for the article traded, except that this subdivision does not apply to any transaction to which subd. 7. or 8. applies.

6. If a person who purchases a motor vehicle presents a statement issued under s. 218.0171 (2) (cq) to the seller at the time of purchase, and the person presents the statement to the seller within 60 days from the date of receiving a refund under s. 218.0171 (2) (b) 2. b., the trade–in amount specified in the statement issued under s. 218.0171 (2) (cq), but not to exceed the purchase price from the sale of the motor vehicle. This subdivision applies only to the first motor vehicle purchased by a person after receiving a refund under s. 218.0171 (2) (b) 2. b.
7. Thirty-five percent of the purchase price, excluding trade-ins, of a new mobile home, as defined in s. 340.01 (29), that is a primary housing unit or of a new mobile home, as defined in s. 340.01 (29), that is transported in 2 unattached sections if the total size of the combined sections, not including additions and attachments, is at least 984 square feet measured when the sections are ready for transport. This subdivision does not apply to a lease or rental.

8. At the retailer’s option; except that after the retailer chooses an option the retailer may not use the other option for other sales without the department’s written approval; either 35 percent of the purchase price of a manufactured building, as defined in s. 101.71 (6), or an amount equal to the purchase price of the manufactured building minus the cost of materials that become an ingredient or component part of the building.

(c) “Purchase price” includes consideration received by the seller from a 3rd party, if:

1. The seller actually receives consideration from a 3rd party, other than the purchaser, and the consideration is directly related to a price reduction or discount on a sale.

2. The seller is obliged to pass the price reduction or discount to the purchaser.

3. The amount of the consideration that is attributable to the sale is a fixed amount and the seller is able to determine that amount at the time of the sale to the purchaser.

4. Any of the following also applies:

   a. The purchaser presents a coupon, certificate, or other documentation to the seller to claim the price reduction or discount, if the coupon, certificate, or other documentation is authorized, distributed, or granted by the 3rd party with the
understanding that the 3rd party will reimburse the seller for the amount of the price
reduction or discount.

b. The purchaser identifies himself or herself to the seller as a member of a
group or organization that may claim the price reduction or discount.

c. The seller provides an invoice to the purchaser, or the purchaser presents a
coupon, certificate, or other documentation to the seller, that identifies the price
reduction or discount as a 3rd-party price reduction or discount.

SECTION 2227. 77.51 (12p) of the statutes is created to read:

77.51 (12p) “Purchaser” means a person to whom a sale of tangible personal
property or items or property under s. 77.52 (1) (b) or (c) are made or to whom a
service is furnished.

SECTION 2228. 77.51 (13) (a) of the statutes is amended to read:

77.51 (13) (a) Every seller who makes any sale, regardless of whether the sale
is mercantile in nature, of tangible personal property or items or property under s. 77.52 (1) (b) or (c), or a service specified under s. 77.52 (2) (a).

SECTION 2229. 77.51 (13) (b) of the statutes is amended to read:

77.51 (13) (b) Every person engaged in the business of making sales of tangible
personal property or items or property under s. 77.52 (1) (b) or (c), for storage, use
or consumption or in the business of making sales at auction of tangible personal
property or items or property under s. 77.52 (1) (b) or (c) owned by the person or others
for storage, use or other consumption.

SECTION 2230. 77.51 (13) (c) of the statutes is amended to read:

77.51 (13) (c) When the department determines that it is necessary for the
efficient administration of this subchapter to regard any salespersons,
representatives, peddlers or canvassers as the agents of the dealers, distributors,
supervisors or employers under whom they operate or from whom they obtain the tangible personal property or items or property under s. 77.52 (1) (b) or (c) sold by them, irrespective of whether they are making the sales on their own behalf or on behalf of such dealers, distributors, supervisors or employers, the department may so regard them and may regard the dealers, distributors, supervisors or employers as retailers for purposes of this subchapter.

**SECTION 2231.** 77.51 (13) (d) of the statutes is amended to read:

77.51 (13) (d) Every wholesaler to the extent that the wholesaler sells tangible personal property or items or property under s. 77.52 (1) (b) or (c) to a person other than a seller as defined in sub. (17) provided such wholesaler is not expressly exempt from the sales tax on such sale or from collecting the use tax on such sale.

**SECTION 2232.** 77.51 (13) (e) of the statutes is amended to read:

77.51 (13) (e) A person selling tangible personal property or items or property under s. 77.52 (1) (b) or (c) to a service provider who transfers the property or items in conjunction with the selling, performing, or furnishing of any service and the property is or items are incidental to the service, unless the service provider is selling, performing, or furnishing services under s. 77.52 (2) (a) 7., 10., 11., and 20. This subsection does not apply to sub. (2).

**SECTION 2233.** 77.51 (13) (f) of the statutes is amended to read:

77.51 (13) (f) A service provider who transfers tangible personal property or items or property under s. 77.52 (1) (b) or (c) in conjunction with but not incidental to the selling, performing or furnishing of any service and a service provider selling, performing or furnishing services under s. 77.52 (2) (a) 7., 10., 11. and 20. This subsection does not apply to sub. (2).

**SECTION 2234.** 77.51 (13) (k) of the statutes is amended to read:
77.51 (13) (k) As respects With regards to a lease, any person deriving rentals from a lease of tangible personal property or items or property under s. 77.52 (1) (b) or (c) situated in this state.

**SECTION 2235.** 77.51 (13) (m) of the statutes is amended to read:

77.51 (13) (m) A person selling tangible personal property or items or property under s. 77.52 (1) (b) or (c) to a veterinarian to be used or furnished by the veterinarian in the performance of services in some manner related to domestic animals, including pets or poultry.

**SECTION 2236.** 77.51 (13) (n) of the statutes is amended to read:

77.51 (13) (n) A person selling household furniture, furnishings, equipment, appliances or other items of tangible personal property or items or property under s. 77.52 (1) (b) or (c) to a landlord for use by tenants in leased or rented living quarters.

**SECTION 2237.** 77.51 (13) (o) of the statutes is amended to read:

77.51 (13) (o) A person selling medicine drugs for animals to a veterinarian. As used in this paragraph, “animal” includes livestock, pets and poultry.

**SECTION 2237d.** 77.51 (13) (p) of the statutes is created to read:

77.51 (13) (p) All persons described in this subsection regardless of all of the following:

1. Whether the transaction is mercantile in nature.
2. Whether the seller sells smaller quantities from inventory.
3. Whether the seller makes or intends to make a profit on the sale.
4. Whether the seller or the buyer receives a benefit the seller or buyer bargained for.
5. The percentage of the seller’s total sales that the sale represents.
6. Any activities other than those described in pars. (a) to (o) in which the seller
is engaged.

SECTION 2238. 77.51 (13g) (intro.) of the statutes is amended to read:

77.51 (13g) (intro.) Except as provided in sub. (13h), “retailer engaged in
business in this state”, unless otherwise limited by federal statute, for purposes of
the use tax, means any of the following:

SECTION 2238b. 77.51 (13g) (a) of the statutes is amended to read:

77.51 (13g) (a) Any retailer owning any real property in this state or leasing
or renting out any tangible personal property or items or property under s. 77.52 (1)
(b) or (c) located in this state or maintaining, occupying or using, permanently or
temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever
name called, an office, place of distribution, sales or sample room or place, warehouse
or storage place or other place of business in this state.

SECTION 2238d. 77.51 (13g) (b) of the statutes is amended to read:

77.51 (13g) (b) Any retailer having any representative, agent, salesperson,
canvasser or solicitor operating in this state under the authority of the retailer or its
subsidiary for the purpose of selling, delivering or the taking of orders for any
tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable
services.

SECTION 2239. 77.51 (13g) (c) of the statutes is created to read:

77.51 (13g) (c) Any retailer selling tangible personal property, items or
property under s. 77.52 (1) (b) or (c), or taxable services for storage, use, or other
consumption in this state, unless otherwise limited by federal law.

SECTION 2240. 77.51 (13r) of the statutes is amended to read:
77.51 (13r) Any person purchasing from a retailer as defined in sub. (13) shall be deemed the consumer of the tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services purchased.

SECTION 2241. 77.51 (13rm) of the statutes is created to read:

77.51 (13rm) “Retail sale” or “sale at retail” means any sale, lease, or rental for any purpose other than resale, sublease, or subrent.

SECTION 2243. 77.51 (14) (intro.) of the statutes is amended to read:

77.51 (14) (intro.) “Sale”, “sale, lease or rental”, “retail sale”, “sale at retail”, or equivalent terms includes any one or all of the following: the transfer of the ownership of, title to, possession of, or enjoyment of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services for use or consumption but not for resale as tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services and includes:

SECTION 2244. 77.51 (14) (a) of the statutes is amended to read:

77.51 (14) (a) Any sale at an auction in with respect to tangible personal property or items or property under s. 77.52 (1) (b) or (c) which is are sold to a successful bidder. The proceeds from, except the sale of property or items sold at auction which is are bid in by the seller and on which title does not pass to a new purchaser shall be deducted from the gross proceeds of the sale and the tax paid only on the net proceeds.

SECTION 2245. 77.51 (14) (b) of the statutes is amended to read:

77.51 (14) (b) The furnishing or distributing of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services for a consideration by social clubs and fraternal organizations to their members or others.

SECTION 2246. 77.51 (14) (c) of the statutes is amended to read:
77.51 (14) (c) A transaction whereby the possession of tangible personal property or items or property under s. 77.52 (1) (b) or (c) are transferred but the seller retains the title as security for the payment of the price.

Section 2247. 77.51 (14) (d) of the statutes is repealed.

Section 2248. 77.51 (14) (g) of the statutes is renumbered 77.51 (15a) (b) 4.

Section 2249. 77.51 (14) (h) of the statutes is amended to read:

77.51 (14) (h) A transfer for a consideration of the title or possession of tangible personal property or items or property under s. 77.52 (1) (b) or (c) which has been produced, fabricated, or printed to the special order of the customer or of any publication.

Section 2250. 77.51 (14) (i) of the statutes is repealed.

Section 2251. 77.51 (14) (j) of the statutes is amended to read:

77.51 (14) (j) The granting of possession of tangible personal property or items or property under s. 77.52 (1) (b) or (c) by a lessor to a lessee, or to another person at the direction of the lessee. Such a transaction is deemed a continuing sale in this state by the lessor for the duration of the lease as respects any period of time the leased property is situated in this state, irrespective of the time or place of delivery of the property to the lessee or such other person.

Section 2252. 77.51 (14) (k) of the statutes is repealed.

Section 2253. 77.51 (14) (L) of the statutes is repealed.

Section 2253d. 77.51 (14) (m) of the statutes is created to read:

77.51 (14) (m) A transaction for which a person’s books and records show the transaction created, with regard to the transferee, an obligation to pay a certain amount of money or an increase in accounts payable or, with regard to the transferor, a right to receive a certain amount of money or an increase in accounts receivable.
SECTION 2253e. 77.51 (14) (n) of the statutes is created to read:

77.51 (14) (n) All activities described in this subsection regardless of all of the following:

1. Whether the transaction is mercantile in nature.
2. Whether the seller sells smaller quantities from inventory.
3. Whether the seller makes or intends to make a profit on the sale.
4. Whether the seller or the buyer receives a benefit the seller or buyer bargained for.
5. The percentage of the seller’s total sales that the sale represents.
6. Any activities other than those described in sub. (13) (a) to (o) in which the seller is engaged.

SECTION 2254. 77.51 (14g) (a) of the statutes is amended to read:

77.51 (14g) (a) The transfer of property or items or property under s. 77.52 (1) (b) or (c) to a corporation upon its organization solely in consideration for the issuance of its stock;

SECTION 2255. 77.51 (14g) (b) of the statutes is amended to read:

77.51 (14g) (b) The contribution of property or items or property under s. 77.52 (1) (b) or (c) to a newly formed partnership solely in consideration for a partnership interest therein;

SECTION 2256. 77.51 (14g) (bm) of the statutes is amended to read:

77.51 (14g) (bm) The contribution of property or items or property under s. 77.52 (1) (b) or (c) to a limited liability company upon its organization solely in consideration for a membership interest;

SECTION 2257. 77.51 (14g) (c) of the statutes is amended to read:
77.51 (14g) (c) The transfer of property or items or property under s. 77.52 (1) (b) or (c) to a corporation, solely in consideration for the issuance of its stock, pursuant to a merger or consolidation;

SECTION 2258. 77.51 (14g) (cm) of the statutes is amended to read:

77.51 (14g) (cm) The transfer of property or items or property under s. 77.52 (1) (b) or (c) to a limited liability company, solely in consideration for a membership interest, pursuant to a merger;

SECTION 2259. 77.51 (14g) (d) of the statutes is amended to read:

77.51 (14g) (d) The distribution of property or items or property under s. 77.52 (1) (b) or (c) by a corporation to its stockholders as a dividend or in whole or partial liquidation;

SECTION 2260. 77.51 (14g) (e) of the statutes is amended to read:

77.51 (14g) (e) The distribution of property or items or property under s. 77.52 (1) (b) or (c) by a partnership to its partners in whole or partial liquidation;

SECTION 2261. 77.51 (14g) (em) of the statutes is amended to read:

77.51 (14g) (em) The distribution of property or items or property under s. 77.52 (1) (b) or (c) by a limited liability company to its members in whole or partial liquidation;

SECTION 2262. 77.51 (14g) (f) of the statutes is amended to read:

77.51 (14g) (f) Repossession of property or items or property under s. 77.52 (1) (b) or (c) by the seller from the purchaser when the only consideration is cancellation of the purchaser’s obligation to pay the remaining balance of the purchase price;

SECTION 2263. 77.51 (14g) (g) of the statutes is amended to read:
77.51 (14g) (g) The transfer of property or items or property under s. 77.52 (1) (b) or (c) in a reorganization as defined in section 368 of the internal revenue code in which no gain or loss is recognized for franchise or income tax purposes; or

SECTION 2264. 77.51 (14g) (h) of the statutes is amended to read:

77.51 (14g) (h) Any transfer of all or substantially all the property or items or property under s. 77.52 (1) (b) or (c) held or used by a person in the course of an activity requiring the holding of a seller’s permit, if after the transfer the real or ultimate ownership of the property or items is substantially similar to that which existed before the transfer. For the purposes of this section, stockholders, bondholders, partners, members or other persons holding an interest in a corporation or other entity are regarded as having the real or ultimate ownership of the property or items of the corporation or other entity. In this paragraph, “substantially similar” means 80% or more of ownership.

SECTION 2265. 77.51 (14r) of the statutes is repealed.

SECTION 2266. 77.51 (15) of the statutes, as affected by 2007 Wisconsin Act 11, is repealed.

SECTION 2267. 77.51 (15a) of the statutes is created to read:

77.51 (15a) (a) “Sales, lease, or rental for resale, sublease, or subrent” includes transfers of tangible personal property or items or property under s. 77.52 (1) (b) or (c) to a service provider that the service provider transfers in conjunction with but not incidental to the selling, performing, or furnishing of any service, and transfers of tangible personal property or items or property under s. 77.52 (1) (b) or (c) to a service provider that the service provider physically transfers in conjunction with the selling, performing, or furnishing services under s. 77.52 (2) (a) 7., 10., 11., or 20. This paragraph does not apply to sub. (2).
(b) “Sales, lease, or rental for resale, sublease, or subrent” does not include any of the following:

1. The sale of building materials, supplies, and equipment to owners, contractors, subcontractors, or builders for use in real property construction activities or the alteration, repair, or improvement of real property, regardless of the quantity of such materials, supplies, and equipment sold.

2. Any sale of tangible personal property or items or property under s. 77.52 (1) (b) or (c) to a purchaser even though such property or items may be used or consumed by some other person to whom such purchaser transfers the property or items without valuable consideration, such as gifts, and advertising specialties distributed at no charge and apart from the sale of other tangible personal property, items or property under s. 77.52 (1) (b) or (c), or service.

3. Transfers of tangible personal property or items or property under s. 77.52 (1) (b) or (c) to a service provider that the service provider transfers in conjunction with the selling, performing, or furnishing of any service, if the tangible personal property or items or property under s. 77.52 (1) (b) or (c) are incidental to the service, unless the service provider is selling, performing, or furnishing services under s. 77.52 (2) (a) 7., 10., 11., or 20.

**SECTION 2268.** 77.51 (15b) of the statutes is created to read:

77.51 (15b) (a) “Sales price” means the total amount of consideration, including cash, credit, property, and services, for which tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:
1. The seller’s cost of the property or items or property under s. 77.52 (1) (b) or (c) sold.

2. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller.

3. Charges by the seller for any services necessary to complete a sale, not including delivery and installation charges.

4. a. Delivery charges, except as provided in par. (b) 4.

   b. If a shipment includes property or items under s. 77.52 (2) (b) or (c) that are subject to tax under this subchapter and property or items that are not subject to tax under this subchapter, the amount of the delivery charge that the seller allocates to the property or items that are subject to tax under this subchapter is based on the total sales price of the property or items that are subject to tax under this subchapter as compared to the total sales price of all the property or items or on the total weight of the property or items that are subject to tax under this subchapter as compared to the total weight of all the property or items, except that if the seller does not make the allocation under this subd. 4. b., the purchaser shall allocate the delivery charge amount, consistent with this subd. 4. b.

5. Installation charges.

   (b) “Sales price” does not include:

   1. Discounts, including cash, terms, or coupons, that are not reimbursed by a 3rd party, except as provided in par. (c); that are allowed by a seller; and that are taken by a purchaser on a sale.

   2. Interest, financing, and carrying charges from credit that is extended on a sale of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or
services, if the amount of the interest, financing, or carrying charges is separately
stated on the invoice, bill of sale, or similar document that the seller gives to the
purchaser.

3. Any taxes legally imposed directly on the purchaser that are separately
stated on the invoice, bill of sale, or similar document that the seller gives to the
purchaser.

4. Delivery charges for direct mail.

5. In all transactions in which an article of tangible personal property or items
under s. 77.52 (2) (b) or (c) are traded toward the purchase of an article of greater
value, the amount of the sales price that represents the amount allowed for the
article traded, except that this subdivision does not apply to any transaction to which
subd. 7. or 8. applies.

6. If a person who purchases a motor vehicle presents a statement issued under
s. 218.0171 (2) (cq) to the seller at the time of purchase, and the person presents the
statement to the seller within 60 days from the date of receiving a refund under s.
218.0171 (2) (b) 2. b., the trade-in amount specified in the statement issued under
s. 218.0171 (2) (cq), but not to exceed the sales price from the sale of the motor vehicle.
This subdivision applies only to the first motor vehicle purchased by a person after
receiving a refund under s. 218.0171 (2) (b) 2. b.

7. Thirty-five percent of the sales price, excluding trade-ins, of a new mobile
home, as defined in s. 340.01 (29), that is a primary housing unit or of a new mobile
home, as defined in s. 340.01 (29), that is transported in 2 unattached sections if the
total size of the combined sections, not including additions and attachments, is at
least 984 square feet measured when the sections are ready for transport. This
subdivision does not apply to a lease or rental.
8. At the retailer’s option; except that after the retailer chooses an option the retailer may not use the other option for other sales without the department’s written approval; either 35 percent of the sales price of a manufactured building, as defined in s. 101.71 (6), or an amount equal to the sales price of the manufactured building minus the cost of materials that become an ingredient or component part of the building.

(c) “Sales price” includes consideration received by the seller from a 3rd party, if:

1. The seller actually receives consideration from a 3rd party, other than the purchaser, and the consideration is directly related to a price reduction or discount on a sale.

2. The seller is obliged to pass the price reduction or discount to the purchaser.

3. The amount of the consideration that is attributable to the sale is a fixed amount and the seller is able to determine that amount at the time of the sale to the purchaser.

4. Any of the following also applies:

   a. The purchaser presents a coupon, certificate, or other documentation to the seller to claim the price reduction or discount, if the coupon, certificate, or other documentation is authorized, distributed, or granted by the 3rd party with the understanding that the 3rd party will reimburse the seller for the amount of the price reduction or discount.

   b. The purchaser identifies himself or herself to the seller as a member of a group or organization that may claim the price reduction or discount.
c. The seller provides an invoice to the purchaser, or the purchaser presents a
coupon, certificate, or other documentation to the seller, that identifies the price
reduction or discount as a 3rd-party price reduction or discount.

SECTION 2269d. 77.51 (17) of the statutes is renumbered 77.51 (17) (intro.) and
amended to read:

77.51 (17) (intro.) “Seller” includes every person selling, leasing, or renting
tangible personal property or selling, performing, or furnishing services of a kind the
gross receipts from the sale, lease, rental, performance, or furnishing of which are
required to be included in the measure of the sales tax, regardless of all of the
following:

SECTION 2269e. 77.51 (17) (intro.) of the statutes, as affected by 2007 Wisconsin
Act .... (this act), is amended to read:

77.51 (17) (intro.) “Seller” includes every person selling, leasing, or renting
tangible personal property or items or property under s. 77.52 (1) (b) or (c) or selling,
performing, or furnishing services of a kind the gross receipts sales price from the
sale, lease, rental, performance, or furnishing of which are is required to be included
in the measure of the sales tax, regardless of all of the following:

SECTION 2269f. 77.51 (17) (a) to (f) of the statutes are created to read:

77.51 (17) (a) Whether the transaction is mercantile in nature.

(b) Whether the seller sells smaller quantities from inventory.

(c) Whether the seller makes or intends to make a profit on the sale.

(d) Whether the seller or the buyer receives a benefit the seller or buyer
bargained for.

(e) The percentage of the seller’s total sales that the sale represents.
(f) Any activities other than those described in sub. (13) (a) to (o) in which the
seller is engaged.

SECTION 2270. 77.51 (17m) of the statutes is repealed and recreated to read:

77.51 (17m) “Service address” means any of the following:

(a) The location of the telecommunications equipment to which a customer’s
telecommunications service is charged and from which the telecommunications
service originates or terminates, regardless of where the telecommunications service
is billed or paid.

(b) If the location described under par. (a) is not known by the seller who sells
the telecommunications service, the location where the signal of the
telecommunications service originates, as identified by the seller’s
telecommunications system or, if the signal is not transmitted by the seller’s
telecommunications system, by information that the seller received from the seller’s
service provider.

(c) If the locations described under pars. (a) and (b) are not known by the seller
who sells the telecommunications service, the customer’s place of primary use.

SECTION 2271. 77.51 (17w) of the statutes is created to read:

77.51 (17w) “Soft drink” means a beverage that contains less than 0.5 percent
of alcohol and that contains natural or artificial sweeteners. “Soft drink” does not
include a beverage that contains milk or milk products; soy, rice, or similar milk
substitutes; or more than 50 percent vegetable or fruit juice by volume.

SECTION 2273. 77.51 (18) of the statutes is amended to read:

77.51 (18) “Storage” includes any keeping or retention in this state of tangible
personal property or items or property under s. 77.52 (1) (b) or (c) purchased from a
retailer for any purpose except sale in the regular course of business.
SECTION 2274. 77.51 (20) of the statutes is amended to read:

77.51 (20) "Tangible personal property" means all tangible personal property of every kind and description that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses, and includes electricity, natural gas, steam and water, and also leased property affixed to realty if the lessor has the right to remove the property upon breach or termination of the lease agreement, unless the lessor of the property is also the lessor of the realty to which the property is affixed. "Tangible personal property" also includes coins and stamps of the United States sold or traded as collectors’ items above their face value and computer programs except custom computer programs prewritten computer software, but does not include items or property under s. 77.52 (1) (b) or (c).

SECTION 2275. 77.51 (21) of the statutes is amended to read:

77.51 (21) "Taxpayer" means the person who is required to pay, collect, or account for or who is otherwise directly interested in the taxes imposed by this subchapter, including a certified service provider.

SECTION 2276. 77.51 (21m) of the statutes is amended to read:

77.51 (21m) "Telecommunications and Internet access services" means sending messages and information transmitted through the use of local, toll and wide-area telephone service; channel services; telegraph services; teletypewriter; computer exchange services; cellular mobile telecommunications service; specialized mobile radio; stationary two-way radio; paging service; or any other form of mobile and portable one-way or two-way communications; or any other transmission of messages or information by electronic or similar means between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities.
“Telecommunications services” does not include sending collect telecommunications that are received outside of the state.

SECTION 2276m. 77.51 (21m) of the statutes, as affected by 2007 Wisconsin Act ... (this act), is renumbered 77.51 (5g) and amended to read:

77.51 (5g) “Telecommunications and Internet access services” means sending messages and information transmitted through the use of local, toll and wide-area telephone service; channel services; telegraph services; teletypewriter; computer exchange services; cellular mobile telecommunications service; specialized mobile radio; stationary two-way radio; paging service; or any other form of mobile and portable one-way or two-way communications; or any other transmission of messages or information by electronic or similar means between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities. “Telecommunications services” does not include sending collect telecommunications that are received outside of the state. “Internet access services” does not include telecommunications services to the extent that such services are taxable under s. 77.52 (2) (a) 5. am.

SECTION 2277. 77.51 (21n) of the statutes is created to read:

77.51 (21n) “Telecommunications services” means electronically transmitting, conveying, or routing voice, data, audio, video, or other information or signals to a point or between or among points. “Telecommunications services” includes the transmission, conveyance, or routing of such information or signals in which computer processing applications are used to act on the content’s form, code, or protocol for transmission, conveyance, or routing purposes, regardless of whether the service is referred to as a voice over Internet protocol service or classified by the
federal communications commission as an enhanced or value-added service.

“Telecommunications services” does not include any of the following:

(a) Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered to a purchaser by an electronic transmission, if the purchaser’s primary purpose for the underlying transaction is the processed data.

(b) Installing or maintaining wiring or equipment on a customer’s premises.

(c) Tangible personal property.

(d) Advertising, including directory advertising.

(e) Billing and collection services provided to 3rd parties.

(f) Internet access service.

(g) Radio and television audio and video programming services, regardless of the medium in which the services are provided, including cable service, as defined in 47 USC 522 (6), audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3, and the transmitting, conveying, or routing of such services by the programming service provider.

(h) Ancillary services.

**SECTION 2278.** 77.51 (21p) of the statutes is created to read:

77.51 (21p) “Tobacco” means cigarettes, cigars, chewing tobacco, pipe tobacco, and any other item that contains tobacco.

**SECTION 2280.** 77.51 (22) (a) of the statutes is amended to read:

77.51 (22) (a) “Use” includes the exercise of any right or power over tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services incident to the ownership, possession or enjoyment of the property, items, or services, or the results produced by the services, including installation or affixation to real
property and including the possession of, or the exercise of any right or power over tangible personal property or items or property under s. 77.52 (1) (b) or (c) by a lessee under a lease, except that “use” does not include the activities under sub. (18).

SECTION 2281. 77.51 (22) (b) of the statutes is amended to read:

77.51 (22) (b) In this subsection “enjoyment” includes a purchaser’s right to direct the disposition of property or items or property under s. 77.52 (1) (b) or (c), whether or not the purchaser has possession of the property or items. “Enjoyment” also includes, but is not limited to, having shipped into this state by an out-of-state supplier printed material which is designed to promote the sale of property, items or property under s. 77.52 (1) (b) or (c), or services, or which is otherwise related to the business activities, of the purchaser of the printed material or printing service.

SECTION 2282. 77.51 (22) (bm) of the statutes is created to read:

77.51 (22) (bm) In this subsection, “exercise of any right or power over tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services” includes distributing, selecting recipients, determining mailing schedules, or otherwise directing the distribution, dissemination, or disposal of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services, regardless of whether the purchaser of such property, items, or services owns or physically possesses, in this state, the property, items, or services.

SECTION 2283. 77.51 (24) of the statutes is created to read:

77.51 (24) “Value-added non-voice data service” means a service in which computer processing applications are used to act on the form, content, code, or protocol of the data provided by the service and are used primarily for a purpose other than for transmitting, conveying, or routing data.

SECTION 2284. 77.51 (25) of the statutes is created to read:
77.51 (25) “Vertical service” means an ancillary service that is provided with
one or more telecommunications services and allows customers to identify callers
and to manage multiple calls and call connections, including conference bridging
services.

Section 2285. 77.51 (26) of the statutes is created to read:

77.51 (26) “Voice mail service” means an ancillary service that allows a
customer to store, send, or receive recorded messages, not including any vertical
service that the customer must have to use the voice mail service.

Section 2286. 77.52 (1) of the statutes is renumbered 77.52 (1) (a) and
amended to read:

77.52 (1) (a) For the privilege of selling, licensing, leasing or renting tangible
personal property, including accessories, components, attachments, parts, supplies
and materials, at retail a tax is imposed upon all retailers at the rate of 5% of the
gross receipts sales price from the sale, license, lease or rental of tangible personal
property, including accessories, components, attachments, parts, supplies and
materials, sold, leased or rented at retail in this state, as determined under s. 77.522.

Section 2287. 77.52 (1) (b) of the statutes is created to read:

77.52 (1) (b) For the privilege of selling at retail coins and stamps of the United
States that are sold or traded as collectors’ items above their face value, a tax is
imposed on all retailers at the rate of 5 percent of the sales price from the sale of such
coins and stamps.

Section 2288. 77.52 (1) (c) of the statutes is created to read:

77.52 (1) (c) For the privilege of leasing property that is affixed to real property,
a tax is imposed on all retailers at the rate of 5 percent of the sales price from the lease
of such property, if the lessor has the right to remove the leased property upon breach
or termination of the lease agreement, unless the lessor of the leased property is also
the lessor of the real property to which the leased property is affixed.

SECTION 2289d. 77.52 (1b) of the statutes is created to read:

77.52 (1b) All sales, leases, or rentals of tangible personal property at retail
in this state are subject to the tax imposed under sub. (1) unless an exemption in this
subchapter applies.

SECTION 2289e. 77.52 (1b) of the statutes, as created by 2007 Wisconsin Act ....
(this act), is repealed and recreated to read:

77.52 (1b) All sales, leases, or rentals of tangible personal property or items
or property under sub. (1) (b) or (c) at retail in this state are subject to the tax imposed
under sub. (1) unless an exemption in this subchapter applies.

SECTION 2290. 77.52 (2) (intro.) of the statutes is amended to read:

77.52 (2) (intro.) For the privilege of selling, licensing, performing or furnishing
the services described under par. (a) at retail in this state, as determined under s.
77.522, to consumers or users, a tax is imposed upon all persons selling, licensing,
performing or furnishing the services at the rate of 5% of the gross receipts sales price
from the sale, license, performance or furnishing of the services.

SECTION 2291b. 77.52 (2) (a) 5. a. of the statutes is amended to read:

77.52 (2) (a) 5. a. The sale of telecommunications and Internet access services,
except services subject to 4 USC 116 to 126, as amended by P.L. 106-252, that either
originate or terminate in this state; except services that are obtained by means of a
toll-free number, that originate outside this state and that terminate in this state;
and are charged to a service address in this state, regardless of the location where
that charge is billed or paid; and the sale of the rights to purchase
telecommunications services, including purchasing reauthorization numbers, by
paying in advance and by using an access number and authorization code, except sales that are subject to subd. 5. b.

SECTION 2291c. 77.52 (2) (a) 5. a. of the statutes, as affected by 2007 Wisconsin Act ... (this act), is amended to read:

77.52 (2) (a) 5. a. The sale of telecommunications and Internet access services, except services subject to 4 USC 116 to 126, as amended by P.L. 106-252, that either originate or terminate in this state; except services that are obtained by means of a toll-free number, that originate outside this state and that terminate in this state; and are charged to a service address in this state, regardless of the location where that charge is billed or paid; and the sale of the rights to purchase telecommunications services, including purchasing reauthorization numbers, by paying in advance and by using an access number and authorization code, except sales that are subject to subd. 5. b.

SECTION 2291p. 77.52 (2) (a) 5. am. of the statutes is created to read:

77.52 (2) (a) 5. am. The sale of intrastate, interstate, and international telecommunications services, except interstate 800 services.

SECTION 2292. 77.52 (2) (a) 5. b. of the statutes is repealed.

SECTION 2294. 77.52 (2) (a) 5. c. of the statutes is created to read:

77.52 (2) (a) 5. c. The sale of ancillary services, except detailed telecommunications billing services.

SECTION 2295. 77.52 (2) (a) 5m. of the statutes is amended to read:

77.52 (2) (a) 5m. The sale of services that consist of recording telecommunications messages and transmitting them to the purchaser of the service or at that purchaser’s direction, but not including those services if they are merely an that are taxable under subd. 5. or services that are incidental, as defined in s.
77.51 (5), element of to another service that is not taxable under this subchapter and sold to that the purchaser of the incidental service and is not taxable under this subchapter.

SECTION 2296. 77.52 (2) (a) 10. of the statutes is amended to read:

77.52 (2) (a) 10. Except for services provided by veterinarians and except for installing or applying tangible personal property that, subject to par. (ag), when installed or applied, will constitute an addition or capital improvement of real property, the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection, and maintenance of all items of tangible personal property and items and property under sub. (1) (b) and (c) unless, at the time of that the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance, a sale in this state of the type of property or items repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected, or maintained would have been exempt to the customer from sales taxation under this subchapter, other than the exempt sale of a motor vehicle or truck body to a nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51 (14r) juvenile 77.522 or unless the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance is provided under a contract that is subject to tax under subd. 13m. The tax imposed under this subsection applies to the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance of items listed in par. (ag), regardless of whether the installation or application of tangible personal property or items or property under sub. (1) (b) or (c) related to the items is an addition to or a capital improvement of real property, except that the tax imposed under this subsection does not apply to the original installation or the complete
replacement of an item listed in par. (ag), if that the installation or replacement is
a real property construction activity under s. 77.51 (2).

SECTION 2297m. 77.52 (2) (a) 11. of the statutes is amended to read:

77.52 (2) (a) 11. The producing, fabricating, processing, printing or imprinting
of tangible personal property or items and property under sub. (1) (b) and (c) for a
consideration for consumers who furnish directly or indirectly the materials used in
the producing, fabricating, processing, printing or imprinting. This subdivision does
not apply to the printing or imprinting of tangible personal property or items and
property under sub. (1) (b) and (c) which will be subsequently transported outside the
state for use outside the state by the consumer for advertising purposes.

SECTION 2297p. 77.52 (2) (a) 11. of the statutes, as affected by 2007 Wisconsin
Act .... (this act), is repealed and recreated to read:

77.52 (2) (a) 11. The producing, fabricating, processing, printing or imprinting
of tangible personal property or items and property under sub. (1) (b) and (c) for a
consideration for consumers who furnish directly or indirectly the materials used in
the producing, fabricating, processing, printing or imprinting. This subdivision does
not apply to the printing or imprinting of tangible personal property or items and
property under sub. (1) (b) and (c) that results in printed material, catalogs, or
envelopes that are exempt under s. 77.54 (25) or (25m).

SECTION 2298. 77.52 (2) (a) 13m. of the statutes is created to read:

77.52 (2) (a) 13m. The sale of contracts, including service contracts,
maintenance agreements, and warranties, that provide, in whole or in part, for the
future performance of or payment for the repair, service, alteration, fitting, cleaning,
painting, coating, towing, inspection, or maintenance of tangible personal property,
unless the sale, lease, or rental in this state of the property or items to which the
contract relates is or was exempt, to the purchaser of the contract, from taxation under this subchapter.

**SECTION 2299.** 77.52 (2m) (a) of the statutes is amended to read:

77.52 (2m) (a) With respect to the services subject to tax under sub. (2), no part of the charge for the service may be deemed a sale or rental of tangible personal property or items or property under sub. (1) (b) or (c), if the property or items transferred by the service provider is are incidental to the selling, performing or furnishing of the service, except as provided in par. (b).

**SECTION 2300.** 77.52 (2m) (b) of the statutes is amended to read:

77.52 (2m) (b) With respect to the services subject to tax under sub. (2) (a) 7., 10., 11. and 20., all property or items or property under sub. (1) (b) or (c) physically transferred to the customer in conjunction with the selling, performing or furnishing of the service is a sale of tangible personal property or items or property under sub. (1) (b) or (c) separate from the selling, performing or furnishing of the service.

**SECTION 2300d.** 77.52 (2n) of the statutes is created to read:

77.52 (2n) The selling, performing, or furnishing of the services described under sub. (2) (a) at retail in this state is subject to the tax imposed under sub. (2) unless an exemption in this subchapter applies.

**SECTION 2300e.** 77.52 (2n) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.52 (2n) The selling, licensing, performing, or furnishing of the services described under sub. (2) (a) at retail in this state, as determined under s. 77.522, is subject to the tax imposed under sub. (2) unless an exemption in this subchapter applies.

**SECTION 2301.** 77.52 (3m) of the statutes is repealed.
SECTION 2302. 77.52 (3n) of the statutes is repealed.

SECTION 2303. 77.52 (4) of the statutes is amended to read:

77.52 (4) It is unlawful for any retailer to advertise or hold out or state to the public or to any customer, directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the retailer or that it will not be added to the selling price of the property or items or property under sub. (1) (b) or (c) sold or that if added it, or any part thereof, will be refunded. Any person who violates this subsection is guilty of a misdemeanor.

SECTION 2304. 77.52 (6) of the statutes is repealed.

SECTION 2305. 77.52 (7) of the statutes is amended to read:

77.52 (7) Every person desiring to operate as a seller within this state who holds a valid certificate under s. 73.03 (50) shall file with the department an application for a permit for each place of operations. Every application for a permit shall be made upon a form prescribed by the department and shall set forth the name under which the applicant intends to operate, the location of the applicant’s place of operations, and the other information that the department requires. The Exception as provided in sub. (7b), the application shall be signed by the owner if a sole proprietor; in the case of sellers other than sole proprietors, the application shall be signed by the person authorized to act on behalf of such sellers. A nonprofit organization that has gross receipts a sales price taxable under s. 77.54 (7m) shall obtain a seller’s permit and pay taxes under this subchapter on all taxable gross receipts sales prices received after it is required to obtain that permit. If that organization becomes eligible later for the exemption under s. 77.54 (7m) except for its possession of a seller’s permit, it may surrender that permit.

SECTION 2306. 77.52 (7b) of the statutes is created to read:
77.52 (7b) Any person who may register under sub. (7) may designate an agent, as defined in s. 77.524 (1) (ag), to register with the department under sub. (7), in the manner prescribed by the department.

SECTION 2307. 77.52 (12) of the statutes is amended to read:

77.52 (12) A person who operates as a seller in this state without a permit or after a permit has been suspended or revoked or has expired, unless the person has a temporary permit under sub. (11), and each officer of any corporation, partnership member, limited liability company member, or other person authorized to act on behalf of a seller who so operates, is guilty of a misdemeanor. Permits shall be held only by persons actively operating as sellers of tangible personal property, items or property under sub. (1) (b) or (c), or taxable services. Any person not so operating shall forthwith surrender that person's permit to the department for cancellation. The department may revoke the permit of a person found not to be actively operating as a seller of tangible personal property, items or property under sub. (1) (b) or (c), or taxable services.

SECTION 2308. 77.52 (13) of the statutes is amended to read:

77.52 (13) For the purpose of the proper administration of this section and to prevent evasion of the sales tax it shall be presumed that all receipts are subject to the tax until the contrary is established. The burden of proving that a sale of tangible personal property, items or property under sub. (1) (b) or (c), or services is not a taxable sale at retail is upon the person who makes the sale unless that person takes from the purchaser an electronic or a paper certificate, in a manner prescribed by the department, to the effect that the property, items or property under sub. (1) (b) or (c), or service is purchased for resale or is otherwise exempt, except that no certificate is required for sales of cattle, sheep, goats, and pigs that are sold at an
animal market, as defined in s. 95.68 (1) (ag), and no certificate is required for sales
of commodities, as defined in 7 USC 2, that are consigned for sale in a warehouse in
or from which the commodity is deliverable on a contract for future delivery subject
to the rules of a commodity market regulated by the U.S. commodity futures trading
commission if upon the sale the commodity is not removed from the warehouse the
sale of tangible personal property, items and property under sub. (1) (b) and (c), and
services that are exempt under s. 77.54 (7), (7m), (8), (10), (11), (14), (15), (17), (20n),
(21), (22b), (30), (31), (32), (35), (36), (37), (42), (44), (45), (46), (51), and (52), except
as provided in s. 77.54 (30) (e) and (f).

**SECTION 2308.** 77.52 (14) (a) (intro.) and 1. and (b) of the statutes are
consolidated, renumbered 77.52 (14) (a) and amended to read:

77.52 (14) (a) The certificate referred to in sub. (13) relieves the seller from the
burden of proof of the tax otherwise applicable only if any of the following is true:
1. The certificate is taken in good faith the seller obtains a fully completed exemption
certificate, or the information required to prove the exemption, from a person who
is engaged as a seller of tangible personal property or taxable services and who holds
the permit provided for in sub. (9) and who, at the time of purchasing purchaser no
later than 90 days after the date of the sale of the tangible personal property, items
or property under sub. (1) (b) or (c), or services, intends to sell it in the regular course
of operations or is unable to ascertain at the time of purchase whether the property
or service will be sold or will be used for some other purpose. (b) except as provided
in par. (am). The certificate under sub. (13) shall not relieve the seller of the tax
otherwise applicable if the seller fraudulently fails to collect sales tax, solicits the
purchaser to claim an unlawful exemption, accepts an exemption certificate from a
purchaser who claims to be an entity that is not subject to the taxes imposed under
this subchapter, if the subject of the transaction sought to be covered by the
exemption certificate is received by the purchaser at a location operated by the seller
in this state and the exemption certificate clearly and affirmatively indicates that
the claimed exemption is not available in this state. The certificate referred to in sub.
(13) shall be signed by and bear the name and address of provide information that
identifies the purchaser, and shall indicate the general character of the tangible
personal property or service sold by the purchaser and the basis for the claimed
exemption and a paper certificate shall be signed by the purchaser. The certificate
shall be in such form as the department prescribes by rule.

**SECTION 2310.** 77.52 (14) (a) 2. of the statutes is repealed.

**SECTION 2311.** 77.52 (14) (am) of the statutes is created to read:

77.52 (14) (am) If the seller has not obtained a fully completed exemption
certificate or the information required to prove the exemption, as provided in par. (a),
the seller may, no later than 120 days after the department requests that the seller
substantiate the exemption, either provide proof of the exemption to the department
by other means or obtain, in good faith, a fully completed exemption certificate from
the purchaser.

**SECTION 2312.** 77.52 (15) of the statutes is amended to read:

77.52 (15) If a purchaser who gives a resale certificate purchases tangible
personal property, items or property under sub. (1) (b) or (c), or taxable services
without paying a sales tax or use tax on such purchase because such property, items,
or services were for resale makes any use of the property, items, or services other than
retention, demonstration or display while holding it the property, items, or services
for sale, lease or rental in the regular course of the purchaser’s operations, the use
shall be taxable to the purchaser under s. 77.53 as of the time that the property is,
items, or services are first used by the purchaser, and the sales purchase price of the
property, items, or services to the purchaser shall be the measure of the tax. Only
when there is an unsatisfied use tax liability on this basis because the seller has
provided incorrect information about that transaction to the department shall the
seller be liable for sales tax with respect to the sale of the property to the purchaser.

SECTION 2313. 77.52 (16) of the statutes is amended to read:

77.52 (16) Any person who gives a resale certificate for property, items or
property under sub. (1) (b) or (c), or services which that person knows at the time of
purchase is not to be resold by that person in the regular course of that person's
operations as a seller for the purpose of evading payment to the seller of the amount
of the tax applicable to the transaction is guilty of a misdemeanor. Any person
certifying to the seller that the sale of property, items or property under sub. (1) (b)
or (c), or taxable service is exempt, knowing at the time of purchase that it is not
exempt, for the purpose of evading payment to the seller of the amount of the tax
applicable to the transaction, is guilty of a misdemeanor.

SECTION 2314. 77.52 (19) of the statutes is amended to read:

77.52 (19) The department shall by rule provide for the efficient collection of
the taxes imposed by this subchapter on sales of property, items or property under
sub. (1) (b) or (c), or services by persons not regularly engaged in selling at retail in
this state or not having a permanent place of business, but who are temporarily
engaged in selling from trucks, portable roadside stands, concessions at fairs and
carnivals, and the like. The department may authorize such persons to sell property
or items or property under sub. (1) (b) or (c) or sell, perform, or furnish services on
a permit or nonpermit basis as the department by rule prescribes and failure of any
person to comply with such rules constitutes a misdemeanor.
SECTION 2315. 77.52 (20) of the statutes is created to read:

77.52 (20) (a) Except as provided in par. (b), the entire sales price of a bundled transaction is subject to the tax imposed under this subchapter.

(b) At the retailer’s option, if the retailer can identify, by reasonable and verifiable standards from the retailer’s books and records that are kept in the ordinary course of its business for other purposes, including purposes unrelated to taxes, the portion of the price that is attributable to products that are not subject to the tax imposed under this subchapter, that portion of the sales price is not taxable under this subchapter. This paragraph does not apply to a bundled transaction that contains food and food ingredients, drugs, durable medical equipment, mobility enhancing equipment, prosthetic devices, or medical supplies.

SECTION 2316. 77.52 (21) of the statutes is created to read:

77.52 (21) A person who provides a product that is not a distinct and identifiable product because it is provided free of charge, as provided in s. 77.51 (3pf) (b), is the consumer of that product and shall pay the tax imposed under this subchapter on the purchase price of that product.

SECTION 2317. 77.52 (22) of the statutes is created to read:

77.52 (22) With regard to transactions described in s. 77.51 (1f) (b), the service provider is the consumer of the tangible personal property or items or property under sub. (1) (b) or (c) and shall pay the tax imposed under this subchapter on the purchase price of the property or items.

SECTION 2318. 77.52 (23) of the statutes is created to read:

77.52 (23) With regard to transactions described in s. 77.51 (1f) (c), the service provider is the consumer of the service that is essential to the use or receipt of the
other service and shall pay the tax imposed under this subchapter on the purchase
price of the service that is essential to the use or receipt of the other service.

SECTION 2319. 77.522 of the statutes is created to read:

77.522 Sourcing. (1) General. (a) In this section:

1. “Direct mail form” means a form for direct mail prescribed by the
department.

2. “Receive” means taking possession of tangible personal property or items or
property under s. 77.52 (1) (b) or (c) or making first use of services, whichever comes
first. “Receive” does not include a shipping company taking possession of tangible
personal property or items or property under s. 77.52 (1) (b) or (c) on a purchaser’s
behalf.

3. “Transportation equipment” means any of the following:

a. Locomotives and railcars that are used to carry persons or property in
interstate commerce.

b. Trucks and truck tractors that have a gross vehicle weight rating of 10,001
pounds or greater, trailers, semitrailers, and passenger buses, if such vehicles are
registered under the international registration plan and operated under the
authority of a carrier that is authorized by the federal government to carry persons
or property in interstate commerce.

c. Aircraft that is operated by air carriers that are authorized by the federal
government or a foreign authority to carry persons or property in interstate or
foreign commerce.

d. Containers that are designed for use on the vehicles described in subd. 4. a.
to c. and component parts attached to or secured on such vehicles.
(b) Except as provided in par. (c) and subs. (2), (3), and (4), the location of a sale is determined as follows:

1. If a purchaser receives the product at a seller’s business location, the sale occurs at that business location.

2. If a purchaser does not receive the product at a seller’s business location, the sale occurs at the location where the purchaser, or the purchaser’s designated donee, receives the product, including the location indicated by the instructions known to the seller for delivery to the purchaser or the purchaser’s designated donee.

3. If the location of a sale of a product cannot be determined under subds. 1. and 2., the sale occurs at the purchaser’s address as indicated by the seller’s business records, if the records are maintained in the ordinary course of the seller’s business and if using that address to establish the location of a sale is not in bad faith.

4. If the location of a sale of a product cannot be determined under subds. 1. to 3., the sale occurs at the purchaser’s address as obtained during the consummation of the sale, including the address indicated on the purchaser’s payment instrument, if no other address is available and if using that address is not in bad faith.

5. If the location of a sale of a product cannot be determined under subds. 1. to 4., the location of the sale is determined as follows:

   a. If the item sold is tangible personal property, or an item or property under s. 77.52 (1) (b) or (c), the sale occurs at the location from which the tangible personal property is shipped.

   c. If a service is sold, the sale occurs at the location from which the service was provided.

(c) The sale of direct mail occurs at the location from which the direct mail is shipped, if the purchaser does not provide to the seller a direct pay permit, a direct
mail form, or other information that indicates the appropriate taxing jurisdiction to which the direct mail is delivered to the ultimate recipients. If the purchaser provides a direct mail form or direct pay permit to the seller, the purchaser shall pay or remit, as appropriate, to the department the tax imposed under s. 77.53 on all purchases for which the tax is due and the seller is relieved from liability for collecting such tax. A direct mail form provided to a seller under this paragraph shall remain effective for all sales by the seller who received the form to the purchaser who provided the form, unless the purchaser revokes the form in writing and provides such revocation to the seller.

(2) LEASE OR RENTAL. (a) Except as provided in pars. (b) and (c), with regard to the first or only payment on the lease or rental, the lease or rental of tangible personal property or items or property under s. 77.52 (1) (b) or (c) occurs at the location determined under sub. (1) (b). If the property or item is moved from the place where the property or item was initially delivered, the subsequent periodic payments on the lease or rental occur at the property’s or item’s primary location as indicated by an address for the property or item that is provided by the lessee and that is available to the lessor in records that the lessor maintains in the ordinary course of the lessor’s business, if the use of such an address does not constitute bad faith. The location of a lease or rental as determined under this paragraph shall not be altered by any intermittent use of the property or item at different locations.

(b) The lease or rental of motor vehicles, trailers, semitrailers, and aircraft, that are not transportation equipment, occurs at the primary location of such motor vehicles, trailers, semitrailers, or aircraft as indicated by an address for the property that is provided by the lessee and that is available to the lessor in records that the lessor maintains in the ordinary course of the lessor’s business, if the use of such an
address does not constitute bad faith, except that a lease or rental under this
paragraph that requires only one payment occurs at the location determined under
sub. (1) (b). The location of a lease or rental as determined under this paragraph shall
not be altered by any intermittent use of the property at different locations.

(c) The lease or rental of transportation equipment occurs at the location
determined under sub. (1) (b).

(d) A license of tangible personal property or items or property under s. 77.52
(1) (b) or (c) shall be treated as a lease or rental of tangible personal property under
this subsection.

(3) TELECOMMUNICATIONS. (a) In this subsection:

1. “Air-to-ground radiotelephone service” means a radio service in which
common carriers are authorized to offer and provide radio telecommunications
service for hire to subscribers in aircraft.

2. “Call-by-call basis” means any method of charging for telecommunications
services by which the price of such services is measured by individual calls.

3. “Communications channel” means a physical or virtual path of
communications over which signals are transmitted between or among customer
channel termination points.

4. “Customer” means a person who enters into a contract with a seller of
telecommunications services or, in any transaction for which the end user is not the
person who entered into a contract with the seller of telecommunications services,
the end user of the telecommunications services. “Customer” does not include a
person who resells telecommunications services or, for mobile telecommunications
services, a serving carrier under an agreement to serve a customer outside the home
service provider’s licensed service area.
5. “Customer channel termination point” means the location where a customer inputs or receives communications.

6. “End user” means an individual who uses a telecommunications service.


8. “Mobile telecommunications service” means a mobile telecommunications service under 4 USC 116 to 126, as amended by P.L. 106–252.

9. “Place of primary use” means place of primary use, as determined under 4 USC 116 to 126, as amended by P.L. 106–252.

10. “Postpaid calling service” means a telecommunications service that is obtained by paying for it on a call–by–call basis using a bankcard, travel card, credit card, debit card, or similar method, or by charging it to a telephone number that is not associated with the location where the telecommunications service originates or terminates. “Postpaid calling service” includes a telecommunications service, not including a prepaid wireless calling service, that would otherwise be a prepaid calling service except that the service provided to the customer is not exclusively a telecommunications service.

14. “Radio service” means a communication service provided by the use of radio, including radiotelephone, radiotelegraph, paging, and facsimile service.

15. “Radiotelegraph service” means transmitting messages from one place to another by means of radio.

16. “Radiotelephone service” means transmitting sound from one place to another by means of radio.

(b) Except as provided in pars. (d) to (j), the sale of a telecommunications service that is sold on a call–by–call basis occurs in the taxing jurisdiction for sales and use
tax purposes where the call originates and terminates, in the case of a call that
originates and terminates in the same such jurisdiction, or the taxing jurisdiction for
sales and use tax purposes where the call originates or terminates and where the
service address is located.

(c) Except as provided in pars. (d) to (j), the sale of a telecommunications service
that is sold on a basis other than a call–by–call basis occurs at the customer’s place
of primary use.

(d) The sale of a mobile telecommunications service, except an air–to–ground
radiotelephone service and a prepaid calling service, occurs at the customer’s place
of primary use.

(e) The sale of a postpaid calling service occurs at the location where the signal
of the telecommunications service originates, as first identified by the seller’s
telecommunications system or, if the signal is not transmitted by the seller’s
telecommunications system, by information that the seller received from the seller’s
service provider.

(f) The sale of a prepaid calling service or a prepaid wireless calling service
occurs at the location determined under sub. (1) (b), except that, if the service is a
prepaid wireless calling service and the location cannot be determined under sub. (1)
(b) 1. to 4., the prepaid wireless calling service occurs at the location determined
under sub. (1) (b) 5. c. or at the location associated with the mobile telephone number,
as determined by the seller.

(g) 1. The sale of a private communication service for a separate charge related
to a customer channel termination point occurs at the location of the customer
channel termination point.
2. The sale of a private communication service in which all customer channel termination points are located entirely in one taxing jurisdiction for sales and use tax purposes occurs in the taxing jurisdiction in which the customer channel termination points are located.

3. If the segments are charged separately, the sale of a private communication service that represents segments of a communications channel between 2 customer channel termination points that are located in different taxing jurisdictions for sales and use tax purposes occurs in an equal percentage in both such jurisdictions.

4. If the segments are not charged separately, the sale of a private communication service for segments of a communications channel that is located in more than one taxing jurisdiction for sales and use tax purposes occurs in each such jurisdiction in a percentage determined by dividing the number of customer channel termination points in that jurisdiction by the number of customer channel termination points in all jurisdictions where segments of the communications channel are located.

(h) The sale of an Internet access service occurs at the customer’s place of primary use.

(i) The sale of ancillary services occurs at the customer’s place of primary use.

(j) If the location of the customer’s service address, channel termination point, or place of primary use is not known, the location where the seller receives or hands off the signal shall be considered, for purposes of this section, the customer’s service address, channel termination point, or place of primary use.

(4) FLORISTS. (a) For purposes of this subsection, “retail florist” means a person engaged in the business of selling cut flowers, floral arrangements, and potted plants and who prepares such flowers, floral arrangements, and potted plants. “Retail
florist” does not include a person who sells cut flowers, floral arrangements, and
potted plants primarily by mail or via the Internet.

(b) Sales by a retail florist occur at the location determined by rule by the
department.

SECTION 2320. 77.523 (title) of the statutes is repealed.

SECTION 2321. 77.523 of the statutes is renumbered 77.59 (9p) (a) and amended
to read:

77.59 (9p) (a) If a customer purchases a service that is subject to 4 USC 116
to 126, as amended by P.L. 106-252, and if the customer believes that the amount
of the tax assessed for the service under this subchapter or the place of primary use
or taxing jurisdiction assigned to the service is erroneous, the customer may request
that the service provider correct the alleged error by sending a written notice to the
service provider. The notice shall include a description of the alleged error, the street
address for the customer’s place of primary use of the service, the account name and
number of the service for which the customer seeks a correction, and any other
information that the service provider reasonably requires to process the request.
Within 60 days from the date that a service provider receives a request under this
section paragraph, the service provider shall review its records to determine the
customer’s taxing jurisdiction. If the review indicates that there is no error as
alleged, the service provider shall explain the findings of the review in writing to the
customer. If the review indicates that there is an error as alleged, the service
provider shall correct the error and shall refund or credit the amount of any tax
collected erroneously, along with the related interest, as a result of the error from the
customer in the previous 48 months, consistent with s. 77.59 (4). A customer may
take no other action against the service provider, or commence any action, to correct
an alleged error in the amount of the tax assessed under this subchapter on a service
that is subject to 4 USC 116 to 126, as amended by P.L. 106-252, or to correct an
alleged error in the assigned place of primary use or taxing jurisdiction, unless the
customer has exhausted his or her remedies under this section paragraph.

SECTION 2322. 77.524 (1) (a) of the statutes is renumbered 77.524 (1) (am).

SECTION 2323. 77.524 (1) (ag) of the statutes is created to read:

77.524 (1) (ag) “Agent” means a person appointed by a seller to represent the
seller before the states that are signatories to the agreement, as defined in s. 77.65
(2) (a).

SECTION 2324. 77.524 (1) (b) of the statutes is renumbered 77.51 (1g) and
amended to read:

77.51 (1g) “Certified service provider” means an agent that is certified jointly
by the states that are signatories to the agreement, as defined in s. 77.65 (2) (a), and
that performs all of a seller’s sales tax and use tax functions related to the seller’s
retail sales, except that a certified service provider is not responsible for a retailer’s
obligation to remit tax on the retailer’s own purchases.

SECTION 2325. 77.525 of the statutes is amended to read:

77.525 Reduction to prevent double taxation. Any person who is subject
to the tax under s. 77.52 (2) (a) 5. a. on telecommunications services that terminate
in this state and who has paid a similar tax on the same services to another state may
reduce the amount of the tax remitted to this state by an amount equal to the similar
tax properly paid to another state on those services or by the amount due this state
on those services, whichever is less. That person shall refund proportionally to the
persons to whom the tax under s. 77.52 (2) (a) 5. a. was passed on an amount equal
to the amounts not remitted.
SECTION 2326. 77.53 (1) of the statutes is amended to read:

77.53 (1) Except as provided in sub. (1m), an excise tax is levied and imposed on the use or consumption in this state of taxable services under s. 77.52 purchased from any retailer, at the rate of 5% of the sales purchase price of those services; on the storage, use, or other consumption in this state of tangible personal property and items or property under s. 77.52 (1) (b) or (c) purchased from any retailer, at the rate of 5% of the sales purchase price of that property or items; and on the storage, use or other consumption of tangible personal property, or items or property under s. 77.52 (1) (b) or (c), manufactured, processed or otherwise altered, in or outside this state, by the person who stores, uses or consumes it, from material purchased from any retailer, at the rate of 5% of the sales purchase price of that material.

SECTION 2326d. 77.53 (1b) of the statutes is created to read:

77.53 (1b) The storage, use, or other consumption in this state of tangible personal property, and the use or other consumption in this state of a taxable service, purchased from any retailer is subject to the tax imposed in this section unless an exemption in this subchapter applies.

SECTION 2326e. 77.53 (1b) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.53 (1b) The storage, use, or other consumption in this state of tangible personal property or items or property under s. 77.52 (1) (b) or (c) and the use or other consumption in this state of a taxable service, purchased from any retailer is subject to the tax imposed in this section unless an exemption in this subchapter applies.

SECTION 2327. 77.53 (2) of the statutes is amended to read:

77.53 (2) Every person storing, using, or otherwise consuming in this state tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable
services purchased from a retailer is liable for the tax imposed by this section. The
person’s liability is not extinguished until the tax has been paid to this state, but a
receipt with the tax separately stated from a retailer engaged in business in this
state or from a retailer who is authorized by the department, under such rules as it
prescribes, to collect the tax and who is regarded as a retailer engaged in business
in this state for purposes of the tax imposed by this section given to the purchaser
under sub. (3) relieves the purchaser from further liability for the tax to which the
receipt refers.

SECTION 2328. 77.53 (3) of the statutes is amended to read:

77.53 (3) Every retailer engaged in business in this state and making sales of
tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable
services for delivery into this state or with knowledge directly or indirectly that the
property or service is intended for storage, use or other consumption in that are
sourced to this state under s. 77.522, shall, at the time of making the sales or, if the
storage, use or other consumption of the tangible personal property or taxable service
is not then taxable under this section, at the time the storage, use or other
consumption becomes taxable, collect the tax from the purchaser and give to the
purchaser a receipt in the manner and form prescribed by the department.

SECTION 2329. 77.53 (4) of the statutes is repealed.

SECTION 2330. 77.53 (9) of the statutes is amended to read:

77.53 (9) Every retailer selling tangible personal property, items or property
under s. 77.52 (1) (b) or (c), or taxable services for storage, use or other consumption
in this state shall register with the department and obtain a certificate under s. 73.03
(50) and give the name and address of all agents operating in this state, the location
of all distribution or sales houses or offices or other places of business in this state,
the standard industrial code classification of each place of business in this state and
the other information that the department requires. Any person who may register
under this subsection may designate an agent, as defined in s. 77.524 (1) (ag), to
register with the department under this subsection, in the manner prescribed by the
department.

SECTION 2331. 77.53 (9m) of the statutes is renumbered 77.53 (9m) (a) and
amended to read:

77.53 (9m) (a)  Any person who is not otherwise required to collect any tax
imposed by this subchapter and who makes sales to persons within this state of
tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable
services the use of which is subject to tax under this subchapter may register with
the department under the terms and conditions that the department imposes and
shall obtain a valid certificate under s. 73.03 (50) and thereby be authorized and
required to collect, report, and remit to the department the use tax imposed by this
subchapter.

SECTION 2332. 77.53 (9m) (b) of the statutes is created to read:

77.53 (9m) (b)  Any person who may register under par. (a) may designate an
agent, as defined in s. 77.524 (1) (ag), to register with the department under par. (a),
in the manner prescribed by the department.

SECTION 2333. 77.53 (9m) (c) of the statutes is created to read:

77.53 (9m) (c)  The registration under par. (a) by a person who is not otherwise
required to collect any tax imposed by this subchapter shall not be used as a factor
in determining whether the seller has nexus with this state for any tax at any time.

SECTION 2334. 77.53 (10) of the statutes is amended to read:
77.53 (10) For the purpose of the proper administration of this section and to prevent evasion of the use tax and the duty to collect the use tax, it is presumed that tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services sold by any person for delivery in this state is sold for storage, use, or other consumption in this state until the contrary is established. The burden of proving the contrary is upon the person who makes the sale unless that person takes from the purchaser an electronic or paper certificate, in a manner prescribed by department, to the effect that the property, items or property under s. 77.52 (1) (b) or (c), or taxable service is purchased for resale, or otherwise exempt from the tax, except that no certificate is required for sales of cattle, sheep, goats, and pigs that are sold at an animal market, as defined in s. 95.68 (1) (ag), and no certificate is required for sales of commodities, as defined in 7 USC 2, that are consigned for sale in a warehouse in or from which the commodity is deliverable on a contract for future delivery subject to the rules of a commodity market regulated by the U.S. commodity futures trading commission if upon the sale the commodity is not removed from the warehouse the sale of tangible personal property, items and property under s. 77.52 (1) (b) and (c), and services that are exempt under s. 77.54 (7), (7m), (8), (10), (11), (14), (15), (17), (20n), (21), (22b), (30), (31), (32), (35), (36), (37), (42), (44), (45), (46), (51), and (52), except as provided in s. 77.54 (30) (e) and (f).

SECTION 2335. 77.53 (11) of the statutes is renumbered 77.53 (11) (a) and amended to read:

77.53 (11) (a) The certificate referred to in sub. (10) relieves the person selling the property, items or property under s. 77.52 (1) (b) or (c), or service from the burden of proof of the tax otherwise applicable only if taken in good faith the seller obtains a fully completed exemption certificate, or the information required to prove
the exemption, from a person who is engaged as a seller of tangible personal
property or taxable services and who holds the permit provided for by s. 77.52 (9) and
who, at the time of purchasing the purchaser no later than 90 days after the date of
the sale of the tangible personal property, items or property under s. 77.52 (1) (b) or
(c), or taxable service, intends to sell it in the regular course of operations or is unable
to ascertain at the time of purchase whether the property or service will be sold or
will be used for some other purpose, or if taken in good faith from a person claiming
exemption, except as provided in par. (b). The certificate under sub. (10) shall not
relieve the seller of the tax otherwise applicable if the seller fraudulently fails to
collect sales tax or solicits the purchaser to claim an unlawful exemption, accepts an
exemption certificate from a purchaser who claims to be an entity that is not subject
to the taxes imposed under this subchapter, if the subject of the transaction sought
to be covered by the exemption certificate is received by the purchaser at a location
operated by the seller in this state and the exemption certificate clearly and
affirmatively indicates that the claimed exemption is not available in this state. The
certificate shall be signed by and bear the name and address of the purchaser and shall indicate the number of the permit issued to
the purchaser, the general character of tangible personal property or taxable service
sold by the purchaser and the basis for the claimed exemption and a paper certificate
shall be signed by the purchaser. The certificate shall be substantially in the form
that the department prescribes by rule.

Section 2336. 77.53 (11) (b) of the statutes is created to read:

77.53 (11) (b) If the seller has not obtained a fully completed exemption
certificate or the information required to prove the exemption, as provided in par. (a),
the seller may, no later than 120 days after the department requests that the seller
substratate the exemption, either provide proof of the exemption to the department by other means or obtain, in good faith, a fully completed exemption certificate from the purchaser.

**SECTION 2337.** 77.53 (12) of the statutes is amended to read:

77.53 (12) If a purchaser who gives a certificate makes any storage or use of the property, items or property under s. 77.52 (1) (b) or (c), or service other than retention, demonstration, or display while holding it for sale in the regular course of operations as a seller, the storage or use is taxable as of the time the property, items or property under s. 77.52 (1) (b) or (c), or service is first so stored or used.

**SECTION 2338.** 77.53 (14) of the statutes is amended to read:

77.53 (14) It is presumed that tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services shipped or brought to this state by the purchaser were purchased from or serviced by a retailer.

**SECTION 2339.** 77.53 (15) of the statutes is amended to read:

77.53 (15) It is presumed that tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services delivered outside this state to a purchaser known by the retailer to be a resident of this state were purchased from a retailer for storage, use, or other consumption in this state and stored, used, or otherwise consumed in this state. This presumption may be controverted by a written statement, signed by the purchaser or an authorized representative, and retained by the seller that the property or service was purchased for use at a designated point outside this state. This presumption may also be controverted by other evidence satisfactory to the department that the property, item, or service was not purchased for storage, use, or other consumption in this state.

**SECTION 2340.** 77.53 (16) of the statutes is amended to read:
77.53 (16) If the purchase, rental or lease of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or service subject to the tax imposed by this section was subject to a sales tax by another state in which the purchase was made, the amount of sales tax paid the other state shall be applied as a credit against and deducted from the tax, to the extent thereof, imposed by this section, except no credit may be applied against and deducted from a sales tax paid on the purchase of direct mail, if the direct mail purchaser did not provide to the seller a direct pay permit, a direct mail form, or other information that indicates the appropriate taxing jurisdiction to which the direct mail is delivered to the ultimate recipients. In this subsection “sales tax” includes a use or excise tax imposed on the use of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable service by the state in which the sale occurred and “state” includes the District of Columbia but does not include and the commonwealth of Puerto Rico or but does not include the several territories organized by congress.

SECTION 2341. 77.53 (17) of the statutes is amended to read:

77.53 (17) This section does not apply to tangible personal property or items or property under s. 77.52 (1) (b) or (c) purchased outside this state, as determined under s. 77.522, other than motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles and airplanes registered or titled or required to be registered or titled in this state, which is brought into this state by a nondomiciliary for the person’s own storage, use or other consumption while temporarily within this state when such property or item is not stored, used or otherwise consumed in this state in the conduct of a trade, occupation, business or profession or in the performance of personal services for wages or fees.

SECTION 2342. 77.53 (17m) of the statutes is amended to read:
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77.53 (17m) This section does not apply to a boat purchased in a state contiguous to this state, as determined under s. 77.522, by a person domiciled in that state if the boat is berthed in this state's boundary waters adjacent to the state of the domicile of the purchaser and if the transaction was an exempt occasional sale under the laws of the state in which the purchase was made.

SECTION 2343. 77.53 (17r) (a) of the statutes is amended to read:

77.53 (17r) (a) It is purchased in another state, as determined under s. 77.522.

SECTION 2344. 77.53 (18) of the statutes is amended to read:

77.53 (18) This section does not apply to the storage, use or other consumption in this state of household goods or items or property under s. 77.52 (1) (b) or (c) for personal use or to aircraft, motor vehicles, boats, snowmobiles, mobile homes, trailers, semitrailers and all-terrain vehicles, for personal use, purchased by a nondomiciary of this state outside this state, as determined under s. 77.522, 90 days or more before bringing the goods, items, or property into this state in connection with a change of domicile to this state.

SECTION 2345. 77.54 (1) of the statutes is amended to read:

77.54 (1) The gross receipts sales price from the sale of and the storage, use or other consumption in this state of tangible personal property, items and property under s. 77.52 (1) (b) and (c) and services the gross receipts sales price from the sale of which, or the storage, use or other consumption of which, this state is prohibited from taxing under the constitution or laws of the United States or under the constitution of this state.

SECTION 2346. 77.54 (2) of the statutes is amended to read:

77.54 (2) The gross receipts sales price from sales of and the storage, use or other consumption of tangible personal property becoming an ingredient or...
component part of an article of tangible personal property or which is consumed or
destroyed or loses its identity in the manufacture of tangible personal property in
any form destined for sale, except as provided in sub. (30) (a) 6.

**SECTION 2347.** 77.54 (2m) of the statutes is amended to read:

> 77.54 (2m) The gross receipts sales price from the sales of and the storage, use
> or other consumption of tangible personal property or services that become an
> ingredient or component of shoppers guides, newspapers or periodicals or that are
> consumed or lose their identity in the manufacture of shoppers guides, newspapers
> or periodicals, whether or not the shoppers guides, newspapers or periodicals are
> transferred without charge to the recipient. In this subsection, “shoppers guides”,
> “newspapers” and “periodicals” have the meanings under sub. (15). The exemption
> under this subdivision does not apply to advertising supplements that are not
> newspapers.

**SECTION 2348.** 77.54 (3) (a) of the statutes, as affected by 2005 Wisconsin Act
366, is amended to read:

> 77.54 (3) (a) The gross receipts sales price from the sales of and the storage, use,
> or other consumption of tractors and machines, including accessories, attachments,
> and parts, lubricants, nonpowered equipment, and other tangible personal property
> that are used exclusively and directly, or are consumed or lose their identities, in the
> business of farming, including dairy farming, agriculture, horticulture, floriculture,
> silviculture, and custom farming services, but excluding automobiles, trucks, and
> other motor vehicles for highway use; excluding personal property that is attached
to, fastened to, connected to, or built into real property or that becomes an addition
to, component of, or capital improvement of real property; and excluding tangible
personal property used or consumed in the erection of buildings or in the alteration,
repair or improvement of real property, regardless of any contribution that that personal property makes to the production process in that building or real property and regardless of the extent to which that personal property functions as a machine, except as provided in par. (c).

SECTION 2349. 77.54 (3m) (intro.) of the statutes, as affected by 2005 Wisconsin Act 366, is amended to read:

77.54 (3m) (intro.) The gross receipts sales price from the sale of and the storage, use or other consumption of the following items if they are used exclusively by the purchaser or user in the business of farming; including dairy farming, agriculture, horticulture, floriculture, silviculture, and custom farming services:

SECTION 2350. 77.54 (4) of the statutes is amended to read:

77.54 (4) Gross receipts The sales price from the sale of tangible personal property and items and property under s. 77.52 (1) (b) and (c), and the storage, use or other consumption in this state of tangible personal property and items and property under s. 77.52 (1) (b) and (c) which is the subject of any such sale, by any elementary school or secondary school, exempted as such from payment of income or franchise tax under ch. 71, whether public or private.

SECTION 2351. 77.54 (5) (intro.) of the statutes is amended to read:

77.54 (5) (intro.) The gross receipts sales price from the sale of and the storage, use or other consumption of:

SECTION 2352. 77.54 (6) (intro.) of the statutes is amended to read:

77.54 (6) (intro.) The gross receipts sales price from the sale of and the storage, use or other consumption of:

SECTION 2353. 77.54 (7m) of the statutes is amended to read:
77.54 (7m) Occasional sales of tangible personal property, items or property under s. 77.52 (1) (b) or (c) or services, including admissions or tickets to an event; by a neighborhood association, church, civic group, garden club, social club or similar nonprofit organization; not involving entertainment for which payment in the aggregate exceeds $500 for performing or as reimbursement of expenses unless access to the event may be obtained without payment of a direct or indirect admission fee; conducted by the organization if the organization is not engaged in a trade or business and is not required to have a seller’s permit. For purposes of this subsection, an organization is engaged in a trade or business and is required to have a seller’s permit if its sales of tangible personal property, items and property under s. 77.52 (1) (b) and (c), and services, not including sales of tickets to events, and its events occur on more than 20 days during the year, unless its receipts do not exceed $25,000 during the year. The exemption under this subsection does not apply to gross receipts the sales price from the sale of bingo supplies to players or to the sale, rental or use of regular bingo cards, extra regular cards and special bingo cards.

SECTION 2354. 77.54 (8) of the statutes is amended to read:

77.54 (8) Charges for interest, financing or insurance, not including contracts under s. 77.52 (2) (a) 13m., where such charges are separately set forth upon the invoice given by the seller to the purchaser.

SECTION 2355. 77.54 (9) of the statutes is amended to read:

77.54 (9) The gross receipts sales price from sales of tickets or admissions to public and private elementary and secondary school activities, where the entire net proceeds therefrom are expended for educational, religious or charitable purposes.

SECTION 2356. 77.54 (9a) (intro.) of the statutes is amended to read:
77.54 (9a) (intro.) The gross receipts sales price from sales to, and the storage
by, use by or other consumption of tangible personal property, items and property
under s. 77.52 (1) (b) and (c), and taxable services by:

SECTION 2356. 77.54 (9a) (i) of the statutes is created to read:

77.54 (9a) (i) A cemetery company or corporation described under section 501
(c) (13) of the Internal Revenue Code, if the tangible personal property or taxable
services are used exclusively by the cemetery company or corporation for the
purposes of the company or corporation.

SECTION 2357d. 77.54 (10) of the statutes is amended to read:

77.54 (10) The gross receipts sales price from the sale of all admission fees,
admission stickers or camping fees under s. 27.01 (7) to (11) and all admission fees
to any museum operated by a nonprofit corporation under a lease agreement with
the state historical society.

SECTION 2358. 77.54 (11) of the statutes is amended to read:

77.54 (11) The gross receipts sales price from the sales of and the storage, use
or other consumption in this state of motor vehicle fuel, general aviation fuel or
alternate fuel, subject to taxation under ch. 78, unless the motor vehicle fuel or
alternate fuel tax is refunded under s. 78.75 because the buyer does not use the fuel
in operating a motor vehicle upon the public highways.

SECTION 2360. 77.54 (12) of the statutes is amended to read:

77.54 (12) The gross receipts sales price from the sales of and the storage, use
or other consumption in this state of rail freight or passenger cars, locomotives or
other rolling stock used in railroad operations, or accessories, attachments, parts,
lubricants or fuel therefor.

SECTION 2361. 77.54 (13) of the statutes is amended to read:
77.54 (13) The gross receipts sales price from the sales of and the storage, use
or other consumption in this state of commercial vessels and barges of 50-ton burden
or over primarily engaged in interstate or foreign commerce or commercial fishing,
and the accessories, attachments, parts and fuel therefor.

SECTION 2362. 77.54 (14) (intro.) of the statutes is amended to read:
77.54 (14) (intro.) The gross receipts sales price from the sales of and the
storage, use, or other consumption in this state of medicines drugs that are any of
the following:

SECTION 2363. 77.54 (14) (a) of the statutes is amended to read:
77.54 (14) (a) Prescribed for the treatment of a human being by a person
authorized to prescribe the medicines drugs, and dispensed on prescription filled by
a registered pharmacist in accordance with law.

SECTION 2364. 77.54 (14) (b) of the statutes is amended to read:
77.54 (14) (b) Furnished by a licensed physician, surgeon, podiatrist, or dentist
to a patient who is a human being for treatment of the patient.

SECTION 2365. 77.54 (14) (f) (intro.) of the statutes is amended to read:
77.54 (14) (f) (intro.) Furnished without charge to any of the following if the
medicine drug may not be dispensed without a prescription:

SECTION 2366. 77.54 (14g) of the statutes is repealed.

SECTION 2367. 77.54 (14s) of the statutes is repealed.

SECTION 2368. 77.54 (15) of the statutes is amended to read:
77.54 (15) The gross receipts sales price from the sale of and the storage, use
or other consumption of all newspapers, of periodicals sold by subscription and
regularly issued at average intervals not exceeding 3 months, or issued at average
intervals not exceeding 6 months by an educational association or corporation sales
to which are exempt under sub. (9a) (f), of controlled circulation publications sold to
commercial publishers for distribution without charge or mainly without charge or
regularly distributed by or on behalf of publishers without charge or mainly without
charge to the recipient and of shoppers guides which distribute no less than 48 issues
in a 12-month period. In this subsection, “shoppers guide” means a community
publication delivered, or attempted to be delivered, to most of the households in its
coverage area without a required subscription fee, which advertises a broad range
of products and services offered by several types of businesses and individuals. In
this subsection, “controlled circulation publication” means a publication that has at
least 24 pages, is issued at regular intervals not exceeding 3 months, that devotes
not more than 75% of its pages to advertising and that is not conducted as an
auxiliary to, and essentially for the advancement of, the main business or calling of
the person that owns and controls it.

SECTION 2369. 77.54 (16) of the statutes is amended to read:

77.54 (16) The gross receipts sales price from the sale of and the storage, use
or other consumption of fire trucks and fire fighting equipment, including
accessories, attachments, parts and supplies therefor, sold to volunteer fire
departments.

SECTION 2370. 77.54 (17) of the statutes is amended to read:

77.54 (17) The gross receipts sales price from the sales of and the storage, use
or other consumption of water, that is not food and food ingredient, when delivered
through mains.

SECTION 2371. 77.54 (18) of the statutes is amended to read:

77.54 (18) When the sale, lease or rental of a service or property, including
items and property under s. 77.52 (1) (b) and (c), that was previously exempt or not
taxable under this subchapter becomes taxable, and the service or property is furnished under a written contract by which the seller is unconditionally obligated to provide the service or property for the amount fixed under the contract, the seller is exempt from sales or use tax on the gross receipts sales price for services or property provided until the contract is terminated, extended, renewed or modified. However, from the time the service or property becomes taxable until the contract is terminated, extended, renewed or modified the user is subject to use tax, measured by the sales purchase price, on the service or property purchased under the contract.

SECTION 2372. 77.54 (20) of the statutes is repealed.

SECTION 2373. 77.54 (20m) of the statutes is repealed.

SECTION 2374. 77.54 (20n) of the statutes is created to read:

77.54 (20n) (a) The sales price from the sale of and the storage, use, or other consumption of food and food ingredients, except candy, soft drinks, dietary supplements, and prepared food.

(b) The sales price from the sale of and the storage, use, or other consumption of food and food ingredients, except soft drinks, sold by hospitals, sanatoriums, nursing homes, retirement homes, community-based residential facilities, as defined in s. 50.01 (1g), or day care centers registered under ch. 48, including prepared food that is sold to the elderly or handicapped by persons providing mobile meals on wheels. In this paragraph, “retirement home” means a nonprofit residential facility where 3 or more unrelated adults or their spouses have their principal residence and where support services, including meals from a common kitchen, are available to residents.

(c) The sales price from the sale of and the storage, use, or other consumption of food and food ingredients, furnished in accordance with any contract or agreement
or paid for to such institution through the use of an account of such institution, by
a public or private institution of higher education to any of the following:

1. An undergraduate student, a graduate student, or a student enrolled in a
   professional school if the student is enrolled for credit at the public or private
   institution of higher education and if the food and food ingredients are consumed by
   the student.

2. A national football league team.

**Section 2376.** 77.54 (20r) of the statutes is created to read:

77.54 (20r) The sales price from the sales of and the storage, use, or other
consumption of candy, soft drinks, dietary supplements, and prepared foods, and
disposable products that are transferred with such items, furnished for no
consideration by a restaurant to the restaurant’s employee during the employee’s
work hours.

**Section 2377.** 77.54 (21) of the statutes is amended to read:

77.54 (21) The gross receipts sales price from the sales of and the storage, use
or other consumption of caskets and burial vaults for human remains.

**Section 2378.** 77.54 (22) of the statutes is repealed.

**Section 2379.** 77.54 (22b) of the statutes is created to read:

77.54 (22b) The sales price from the sale of and the storage, use, or other
consumption of durable medical equipment that is for use in a person’s home,
mobility−enhancing equipment, and prosthetic devices, and accessories for such
equipment or devices, if the equipment or devices are used for a human being.

**Section 2381.** 77.54 (23m) of the statutes is amended to read:

77.54 (23m) The gross receipts from the sale, lease or rental of or the storage,
use or other consumption of motion picture film or tape, and motion pictures or radio
or television programs for listening, viewing, or broadcast, and advertising materials
related thereto, sold, leased or rented to a motion picture theater or radio or
television station.

**SECTION 2382.** 77.54 (23m) of the statutes, as affected by 2007 Wisconsin Act
.... (this act), is amended to read:

77.54 (23m) The gross receipts **sales price** from the sale, license, lease or rental
of or the storage, use or other consumption of motion picture film or tape, and motion
pictures or radio or television programs for listening, viewing, or broadcast, and
advertising materials related thereto, sold, **licensed**, leased or rented to a motion
picture theater or radio or television station.

**SECTION 2383.** 77.54 (25) of the statutes is amended to read:

77.54 (25) The gross receipts **sales price** from the sale of and the storage of
printed material which is designed to advertise and promote the sale of merchandise,
or to advertise the services of individual business firms, which printed material is
purchased and stored for the purpose of subsequently transporting it outside the
state by the purchaser for use thereafter solely outside the state.

**SECTION 2384.** 77.54 (25) of the statutes, as affected by 2007 Wisconsin Act ....
(this act), is amended to read:

77.54 (25) The sales price from the sale of and the storage of printed material
which is designed to advertise and promote the sale of merchandise, or to advertise
the services of individual business firms, which printed material is purchased and
stored for the purpose of subsequently transporting it outside the state by the
purchaser for use thereafter solely outside the state. **This subsection does not apply**
to catalogs and the envelopes in which the catalogs are mailed.

**SECTION 2385.** 77.54 (25m) of the statutes is created to read:
77.54 (25m) The sales price from the sale of and the storage, use, or other consumption of catalogs, and the envelopes in which the catalogs are mailed, that are designed to advertise and promote the sale of merchandise or to advertise the services of individual business firms.

SECTION 2386. 77.54 (26) of the statutes, as affected by 2007 Wisconsin Act 19, is amended to read:

77.54 (26) The gross receipts sales price from the sales of and the storage, use, or other consumption of tangible personal property and property under s. 77.52 (1) (b) and (c) which becomes a component part of an industrial waste treatment facility that is exempt under s. 70.11 (21) or that would be exempt under s. 70.11 (21) if the property were taxable under ch. 70, or tangible personal property and property under s. 77.52 (1) (b) and (c) which becomes a component part of a waste treatment facility of this state or any agency thereof, or any political subdivision of the state or agency thereof as provided in s. 40.02 (28). The exemption includes replacement parts therefor, and also applies to chemicals and supplies used or consumed in operating a waste treatment facility and to purchases of tangible personal property and property under s. 77.52 (1) (b) and (c) made by construction contractors who transfer such property to their customers in fulfillment of a real property construction activity. This exemption does not apply to tangible personal property and property under s. 77.52 (1) (b) and (c) installed in fulfillment of a written construction contract entered into, or a formal written bid made, prior to July 31, 1975.

SECTION 2387. 77.54 (26m) of the statutes is amended to read:

77.54 (26m) The gross receipts sales price from the sale of and the storage, use or other consumption of waste reduction or recycling machinery and equipment,
including parts therefor, exclusively and directly used for waste reduction or
cycling activities which reduce the amount of solid waste generated, reuse solid
waste, recycle solid waste, compost solid waste or recover energy from solid waste.
The exemption applies even though an economically useful end product results from
the use of the machinery and equipment. For the purposes of this subsection, “solid
waste” means garbage, refuse, sludge or other materials or articles, whether these
materials or articles are discarded or purchased, including solid, semisolid, liquid or
contained gaseous materials or articles resulting from industrial, commercial,
mining or agricultural operations or from domestic use or from public service
activities.

**SECTION 2387.** 77.54 (27) of the statutes is amended to read:

77.54 (27) The gross receipts sales price from the sale of semen used for
artificial insemination of livestock.

**SECTION 2388.** 77.54 (28) of the statutes is amended to read:

77.54 (28) The gross receipts sales price from the sale of and the storage, use
or other consumption to or by the ultimate consumer of apparatus or equipment for
the injection of insulin or the treatment of diabetes and supplies used to determine
blood sugar level.

**SECTION 2389.** 77.54 (29) of the statutes is amended to read:

77.54 (29) The gross receipts sales price from the sales of and the storage, use
or other consumption of equipment used in the production of maple syrup.

**SECTION 2391.** 77.54 (30) (a) (intro.) of the statutes is amended to read:

77.54 (30) (a) (intro.) The gross receipts sales price from the sale of:

**SECTION 2391d.** 77.54 (30) (a) 1m. of the statutes is created to read:
77.54 (30) (a) 1m. Biomass, as defined in s. 196.378 (1) (ar), that is used for fuel sold for residential use.

SECTION 2392. 77.54 (30) (c) of the statutes is amended to read:

77.54 (30) (c) If fuel or electricity is sold partly for a use exempt under this subsection and partly for a use which is not exempt under this subsection, no tax shall be collected on that percentage of the gross receipts sales price equal to the percentage of the fuel or electricity which is used for an exempt use, as specified in an exemption certificate provided by the purchaser to the seller.

SECTION 2393. 77.54 (31) of the statutes is amended to read:

77.54 (31) The gross receipts sales price from the sale of and the storage, use or other consumption in this state, but not the lease or rental, of used mobile homes that are primary housing units under s. 340.01 (29).

SECTION 2394. 77.54 (32) of the statutes is amended to read:

77.54 (32) The gross receipts sales price from charges, including charges for a search, imposed by an authority, as defined in s. 19.32 (1), for copies of a public record that a person may examine and use under s. 16.61 (12) or for copies of a record under s. 19.35 (1).

SECTION 2395. 77.54 (33) of the statutes is amended to read:

77.54 (33) The gross receipts sales price from sales of and the storage, use or other consumption of medicines drugs used on farm livestock, not including workstock.

SECTION 2396. 77.54 (35) of the statutes is amended to read:

77.54 (35) The gross receipts sales price from the sales of tangible personal property, items or property under s. 77.52 (1) (b) or (c), tickets or admissions by any
baseball team affiliated with the Wisconsin Department of American Legion baseball.

**SECTION 2397.** 77.54 (36) of the statutes is amended to read:

77.54 (36) The gross receipts sales price from the rental for a continuous period of one month or more of a mobile home, as defined in s. 66.0435 (1) (d), that is used as a residence. In this subsection, “one month” means a calendar month or 30 days, whichever is less, counting the first day of the rental and not counting the last day of the rental.

**SECTION 2398.** 77.54 (37) of the statutes is amended to read:

77.54 (37) The gross receipts sales price from revenues collected under s. 146.70 (3) and the surcharge established by rule by the public service commission under s. 146.70 (3m) (f) for customers of wireless providers, as defined in s. 146.70 (3m) (a) 6.

**SECTION 2399.** 77.54 (38) of the statutes is amended to read:

77.54 (38) The gross receipts sales price from the sale of and the storage, use or other consumption of snowmobile trail groomers and attachments for them that are purchased, stored, used or consumed by a snowmobile club that meets at least 3 times a year, that has at least 10 members, that promotes snowmobiling and that participates in the department of natural resources’ snowmobile program under s. 350.12 (4) (b).

**SECTION 2400.** 77.54 (39) of the statutes is amended to read:

77.54 (39) The gross receipts sales price from the sale of and the storage, use or other consumption of off–highway, heavy mechanical equipment such as feller bunchers, slashers, delimiters, chippers, hydraulic loaders, loaders, skidder–forwarders, skidders, timber wagons and tractors used exclusively and
directly in the harvesting or processing of raw timber products in the field by a person
in the logging business. In this subsection, “heavy mechanical equipment” does not
include hand tools such as axes, chains, chain saws and wedges.

SECTION 2401. 77.54 (40) of the statutes is repealed.

SECTION 2402. 77.54 (41) of the statutes is amended to read:

77.54 (41) The gross receipts sales price from the sale of building materials,
supplies and equipment to; and the storage, use or other consumption of those kinds
of property by; owners, contractors, subcontractors or builders if that property is
acquired solely for or used solely in, the construction, renovation or development of
property that would be exempt under s. 70.11 (36).

SECTION 2403. 77.54 (42) of the statutes is amended to read:

77.54 (42) The gross receipts sales price from the sale of and the storage, use
or other consumption of animal identification tags provided under s. 93.06 (1h) and
standard samples provided under s. 93.06 (1s).

SECTION 2404. 77.54 (43) of the statutes is amended to read:

77.54 (43) The gross receipts sales price from the sale of and the storage, use
or other consumption of raw materials used for the processing, fabricating or
manufacturing of, or the attaching to or incorporating into, printed materials that
are transported and used solely outside this state.

SECTION 2405. 77.54 (44) of the statutes, as affected by 2005 Wisconsin Act 141,
is amended to read:

77.54 (44) The gross receipts sales price from the collection of low–income
assistance fees that are charged under s. 16.957 (4) (a) or (5) (a).

SECTION 2406. 77.54 (45) of the statutes is amended to read:
77.54 (45) The gross receipts sales price from the sale of and the use or other consumption of a onetime license or similar right to purchase admission to professional football games at a football stadium, as defined in s. 229.821 (6), that is granted by a municipality; a local professional football stadium district; or a professional football team or related party, as defined in s. 229.821 (12); if the person who buys the license or right is entitled, at the time the license or right is transferred to the person, to purchase admission to at least 3 professional football games in this state during one football season.

SECTION 2407. 77.54 (46) of the statutes is amended to read:

77.54 (46) The gross receipts sales price from the sale of and the storage, use, or other consumption of the U.S. flag or the state flag. This subsection does not apply to a representation of the U.S. flag or the state flag.

SECTION 2408. 77.54 (46m) of the statutes is amended to read:

77.54 (46m) The gross receipts sales price from the sale of and the storage, use, or other consumption of telecommunications services, if the telecommunications services are obtained by using the rights to purchase telecommunications services, including purchasing reauthorization numbers, by paying in advance and by using an access number and authorization code; and if the tax imposed under s. 77.52 or 77.53 was previously paid on the sale or purchase of such rights.

SECTION 2409. 77.54 (47) (intro.) of the statutes is amended to read:

77.54 (47) (intro.) The gross receipts sales price from the sale of and the storage, use, or other consumption of all of the following:

SECTION 2410. 77.54 (47) (b) 1. of the statutes is amended to read:

77.54 (47) (b) 1. The shooting facility is required to pay the tax imposed under s. 77.52 on its gross receipts the sales price from charges for shooting at the facility.
SECTION 2410d. 77.54 (47) (b) 2. of the statutes is amended to read:

77.54 (47) (b) 2. The shooting facility is a nonprofit organization that charges for shooting at the facility, but is not required to pay the tax imposed under s. 77.52 on its gross receipts from such charges because the charges are for occasional sales, as provided under sub. (7m), or because the charges satisfy the exemption under s. 77.52 (2) (a) 2. b.

SECTION 2410e. 77.54 (47) (b) 2. of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

77.54 (47) (b) 2. The shooting facility is a nonprofit organization that charges for shooting at the facility, but is not required to pay the tax imposed under s. 77.52 on its gross receipts the sales price from such charges because the charges are for occasional sales, as provided under sub. (7m), or because the charges satisfy the exemption under s. 77.52 (2) (a) 2. b.

SECTION 2411. 77.54 (48) (a) of the statutes, as created by 2005 Wisconsin Act 479, is renumbered 77.585 (9) (a) and amended to read:

77.585 (9) (a) Subject to 2005 Wisconsin Act 479, section 17, the gross receipts from the sale of and the storage, use, or other consumption a purchaser may claim as a deduction that portion of its purchase price of Internet equipment used in the broadband market for which the tax was imposed under this subchapter, if the purchaser certifies to the department of commerce, in the manner prescribed by the department of commerce, that the purchaser will, within 24 months after July 1, 2007, make an investment that is reasonably calculated to increase broadband Internet availability in this state. The purchaser shall claim the deduction in the same reporting period as the purchaser paid the tax imposed under this subchapter.
SECTION 2412. 77.54 (48) (b) of the statutes, as created by 2005 Wisconsin Act 479, is renumbered 77.585 (9) (b).

SECTION 2413. 77.54 (49) of the statutes is amended to read:

77.54 (49) The gross receipts sales price from the sale of and the storage, use, or other consumption of taxable services and tangible personal property or item or property under s. 77.52 (1) (b) or (c) that is physically transferred to the purchaser as a necessary part of services that are subject to the taxes imposed under s. 77.52 (2) (a) 7., 10., 11., and 20., if the seller and the purchaser of such services and property or item are members of the same affiliated group under section 1504 of the Internal Revenue Code and are eligible to file a single consolidated return for federal income tax purposes. For purposes of this subsection, if a seller purchases a taxable service, item or property under s. 77.52 (1) (b) or (c), or tangible personal property, as described in the subsection, that is subsequently sold to a member of the seller’s affiliated group and the sale is exempt under this subsection from the taxes imposed under this subchapter, the original purchase of the taxable service, item or property under s. 77.52 (1) (b) or (c), or tangible personal property by the seller is not considered a sale for resale or exempt under this subsection.

SECTION 2415. 77.54 (51) of the statutes is created to read:

77.54 (51) The sales price from the sales of and the storage, use, or other consumption of products sold in a transaction that would be a bundled transaction, except that it contains taxable and nontaxable products as described in s. 77.51 (1f) (d), and except that the first person combining the products shall pay the tax imposed under this subchapter on the person’s purchase price of the taxable items.

SECTION 2416. 77.54 (52) of the statutes is created to read:
77.54 (52) The sales price from the sales of and the storage, use, or other consumption of products sold in a transaction that would be a bundled transaction, except that the transaction meets the conditions described in s. 77.51 (1f) (e).

SECTION 2418m. 77.54 (54) of the statutes is created to read:

77.54 (54) The gross receipts from the sale of and the storage, use, or other consumption of tangible personal property and taxable services that are sold by a home exchange service that receives moneys from the appropriation account under s. 20.485 (1) (g) and is operated by the department of veterans affairs.

SECTION 2419. 77.54 (54) of the statutes, as created by 2007 Wisconsin Act ..., (this act), is repealed and recreated to read:

77.54 (54) The sales price from the sale of and the storage, use, or other consumption of tangible personal property and taxable services that are sold by a home exchange service that receives moneys from the appropriation account under s. 20.485 (1) (g) and is operated by the department of veterans affairs.

SECTION 2419c. 77.54 (56) of the statutes is created to read:

77.54 (56) (a) The gross receipts from the sale of and the storage, use, or other consumption of a product whose power source is wind energy, direct radiant energy received from the sun, or gas generated from anaerobic digestion of animal manure and other agricultural waste, if the product produces at least 200 watts of alternating current or 600 British thermal units per day, except that the exemption under this subsection does not apply to an uninterruptible power source that is designed primarily for computers.

(b) Except for the sale of electricity or energy that is exempt from taxation under sub. (30), the gross receipts from the sale of and the storage, use, or other consumption of electricity or energy produced by a product described under par. (a).
Section 2419cm. 77.54 (56) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.54 (56) (a) The sales price from the sale of and the storage, use, or other consumption of a product whose power source is wind energy, direct radiant energy received from the sun, or gas generated from anaerobic digestion of animal manure and other agricultural waste, if the product produces at least 200 watts of alternating current or 600 British thermal units per day, except that the exemption under this subsection does not apply to an uninterruptible power source that is designed primarily for computers.

(b) Except for the sale of electricity or energy that is exempt from taxation under sub. (30), the sales price from the sale of and the storage, use, or other consumption of electricity or energy produced by a product described under par. (a).

Section 2420. 77.55 (1) (intro.) of the statutes is amended to read:

77.55 (1) (intro.) There are exempted from the computation of the amount of the sales tax the gross receipts sales price from the sale of any tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services to:

Section 2421. 77.55 (2) of the statutes is amended to read:

77.55 (2) There are exempted from the computation of the amount of the sales tax the gross receipts sales price from sales of tangible personal property and items and property under s. 77.52 (1) (b) and (c), to a common or contract carrier, shipped by the seller via the purchasing carrier under a bill of lading whether the freight is paid in advance, or the shipment is made freight charges collect, to a point outside this state and the property or item is actually transported to the out-of-state destination for use by the carrier in the conduct of its business as a carrier.

Section 2422. 77.55 (2m) of the statutes is amended to read:
77.55 (2m) There are exempted from the computation of the amount of sales tax the gross receipts sales price from sales of railroad crossties to a common or contract carrier, shipped wholly or in part by way of the purchasing carrier under a bill of lading, whether the freight is paid in advance or the shipment is made freight charges collect, to a point outside this state if the property is transported to the out-of-state destination for use by the carrier in the conduct of its business as a carrier. Interruption of the shipment for storage, drying, processing or creosoting of the railroad crossties in this state does not invalidate the exemption under this subsection.

SECTION 2423. 77.55 (3) of the statutes is amended to read:

77.55 (3) There are exempted from the computation of the amount of the sales tax the gross receipts sales price from sales of tangible personal property, and items and property under s. 77.52 (1) (b) and (c), purchased for use solely outside this state and delivered to a forwarding agent, export packer, or other person engaged in the business of preparing goods for export or arranging for their exportation, and actually delivered to a port outside the continental limits of the United States prior to making any use thereof.

SECTION 2424. 77.56 (1) of the statutes is amended to read:

77.56 (1) The storage, use or other consumption in this state of property, including items and property under s. 77.52 (1) (b) and (c), the gross receipts sales price from the sale of which are reported to the department in the measure of the sales tax, is exempted from the use tax.

SECTION 2425. 77.57 of the statutes is amended to read:

77.57 Liability of purchaser. If a purchaser certifies in writing to a seller that the property or items or property under s. 77.52 (1) (b) or (c) purchased will be
used in a manner or for a purpose entitling the seller to regard the gross receipts sales price from the sale as exempted by this subchapter from the computation of the amount of the sales tax and uses the property or items or property under s. 77.52 (1) (b) or (c) in some other manner or for some other purpose, the purchaser is liable for payment of the sales tax. The tax shall be measured by the sales price of the property or items or property under s. 77.52 (1) (b) or (c) to the purchaser, but if the taxable use first occurs more than 6 months after the sale to the purchaser, the purchaser may use as the measure of the tax either that sales price or the fair market value of the property at the time the taxable use first occurs.

Section 2426. 77.58 (3) (a) of the statutes is amended to read:

77.58 (3) (a) For purposes of the sales tax a return shall be filed by every seller. For purposes of the use tax a return shall be filed by every retailer engaged in business in this state and by every person purchasing tangible personal property, items or property under s. 77.52 (1) (b) or (c), or services, the storage, use, or other consumption of which is subject to the use tax, who has not paid the use tax due to a retailer required to collect the tax. If a qualified subchapter S subsidiary is not regarded as a separate entity under ch. 71, the owner of that subsidiary shall include the information for that subsidiary on the owner’s return. Returns shall be signed by the person required to file the return or by a duly authorized agent but need not be verified by oath. If a single-owner entity is disregarded as a separate entity under ch. 71, the owner shall include the information from the entity on the owner’s return.

Section 2427. 77.58 (3) (b) of the statutes is amended to read:

77.58 (3) (b) For purposes of the sales tax the return shall show the gross receipts of the seller during the preceding reporting period. For purposes of the use tax, in case of a return filed by a retailer, the return shall show the total sales price
of the property or taxable services sold, the storage, use or consumption of which
became subject to the use tax during the preceding reporting period. In case of a sales
or use tax return filed by a purchaser, the return shall show the total sales price of
the property and taxable services purchased, the storage, use or consumption of
which became subject to the use tax during the preceding reporting period. The
return shall also show the amount of the taxes for the period covered by the return
and such other information as the department deems necessary for the proper
administration of this subchapter.

**SECTION 2428.** 77.58 (6) of the statutes is amended to read:

77.58 (6) For the purposes of the sales tax gross receipts, the sales price from
rentals or leases of tangible personal property or items or property under s. 77.52 (1)
(b) or (c) shall be reported and the tax paid in accordance with such rules as the
department prescribes.

**SECTION 2429.** 77.58 (6m) of the statutes is created to read:

77.58 (6m) (a) The department may, in cases where it is satisfied that an undue
hardship would otherwise result, permit the reporting of a sales price or purchase
price on some basis other than the accrual basis.

(b) The entire sales price of credit transactions shall be reported in the period
in which the sale is made without reduction in the amount of tax payable by the
retailer by reason of the retailer's transfer at a discount of any open account, note,
conditional sales contract, lease contract, or other evidence of indebtedness.

**SECTION 2431.** 77.58 (9a) of the statutes is created to read:

77.58 (9a) In addition to filing a return as provided in this section, a person
described under s. 77.524 (3), (4), or (5) shall provide to the department any
information that the department considers necessary for the administration of this
subchapter, in the manner prescribed by the department, except that the department may not require that the person provide such information to the department more than once every 180 days.

**SECTION 2432.** 77.585 of the statutes is created to read:

**77.585 Return adjustments.** (1) (a) In this subsection, “bad debt” means the portion of the sales price or purchase price that the seller has reported as taxable under this subchapter and that the seller may claim as a deduction under section 166 of the Internal Revenue Code. “Bad debt” does not include financing charges or interest, sales or use taxes imposed on the sales price or purchase price, uncollectible amounts on property or items or property under s. 77.52 (1) (b) or (c) that remain in the seller’s possession until the full sales price or purchase price is paid, expenses incurred in attempting to collect any debt, debts sold or assigned to 3rd parties for collection, and repossessed property or items.

(b) A seller may claim as a deduction on a return under s. 77.58 the amount of any bad debt that the seller writes off as uncollectible in the seller’s books and records and that is eligible to be deducted as a bad debt for federal income tax purposes, regardless of whether the seller is required to file a federal income tax return. A seller who claims a deduction under this paragraph shall claim the deduction on the return under s. 77.58 that is submitted for the period in which the seller writes off the amount of the deduction as uncollectible in the seller’s books and records and in which such amount is eligible to be deducted as bad debt for federal income tax purposes. If the seller subsequently collects in whole or in part any bad debt for which a deduction is claimed under this paragraph, the seller shall include the amount collected in the return filed for the period in which the amount is collected and shall pay the tax with the return.
(c) For purposes of computing a bad debt deduction or reporting a payment received on a previously claimed bad debt, any payment made on a debt or on an account is applied first to the price of the property, items or property under s. 77.52 (1) (b) or (c), or service sold, and the proportionate share of the sales tax on the property, items or property under s. 77.52 (1) (b) or (c), or service, and then to interest, service charges, and other charges related to the sale.

(d) A seller may obtain a refund of the tax collected on any bad debt amount deducted under par. (b) that exceeds the amount of the seller’s taxable sales as provided under s. 77.59 (4), except that the period for making a claim as determined under s. 77.59 (4) begins on the date on which the return on which the bad debt could be claimed would have been required to be submitted to the department under s. 77.58.

(e) If a seller is using a certified service provider, the certified service provider may claim a bad debt deduction under this subsection on the seller’s behalf if the seller has not claimed and will not claim the same deduction. A certified service provider who receives a bad debt deduction under this subsection shall credit that deduction to the seller and a certified service provider who receives a refund under this subsection shall submit that refund to the seller.

(f) If a bad debt relates to the retail sales of tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services that occurred in this state and in one or more other states, as determined under s. 77.522, the total amount of such bad debt shall be apportioned among the states in which the underlying sales occurred in a manner prescribed by the department to arrive at the amount of the deduction under par. (b).
(2) If a lessor of tangible personal property or items or property under s. 77.52 (1) (b) or (c) has reimbursed the vendor for the sales tax on the sale of the property or items by the vendor to the lessor, the tax due from the lessor on the rental receipts may be offset by a credit equal to the tax otherwise due on the rental receipts from the property or items for the reporting period. The credit shall expire when the cumulative rental receipts equal the sales price upon which the vendor paid sales taxes to this state.

(3) If a purchaser of tangible personal property or items or property under s. 77.52 (1) (b) or (c) has reimbursed the vendor of the property or items for the sales tax on the sale and subsequently, before making any use of the property or items other than retention, demonstration, or display while holding it for sale or rental, makes a taxable sale of the property or items, the tax due on the taxable sale may be offset by the tax reimbursed.

(4) A seller may claim a deduction on any part of the sales price or purchase price that the seller refunds in cash or credit as a result of returned property or items or property under s. 77.52 (1) (b) or (c) or adjustments in the sales price or purchase price after the sale has been completed, if the seller has included the refunded price in a prior return made by the seller and has paid the tax on such price, and if the seller has returned to the purchaser in cash or in credit all tax previously paid by the purchaser on the amount of the refund at the time of the purchase. A deduction under this subsection shall be claimed on the return for the period in which the refund is paid.

(5) No reduction in the amount of tax payable by the retailer is allowable in the event property or items or property under s. 77.52 (1) (b) or (c) sold on credit are
repossessed except where the entire consideration paid by the purchaser is refunded to the purchaser or where a credit for a worthless account is allowable under sub. (1).

(6) A purchaser who is subject to the use tax on the storage, use, or other consumption of fuel may claim a deduction from the purchase price that is subject to the use tax for fuel taxes refunded by this state or the United States to the purchaser that is included in the purchase price of the fuel.

(7) For sales tax purposes, if a retailer establishes to the department's satisfaction that the sales tax has been added to the total amount of the sales price and has not been absorbed by the retailer, the total amount of the sales price shall be the amount received exclusive of the sales tax imposed.

(8) A sale or purchase involving transfer of ownership of property or items or property under s. 77.52 (1) (b) or (c) is completed at the time when possession is transferred by the seller or the seller's agent to the purchaser or the purchaser's agent, except that for purposes of sub. (1) a common carrier or the U.S. postal service shall be considered the agent of the seller, regardless of any f.o.b. point and regardless of the method by which freight or postage is paid.

SECTION 2433. 77.59 (2m) of the statutes is created to read:

77.59 (2m) The department may audit, or may authorize others to audit, sellers and certified service providers who are registered with the department pursuant to the agreement, as defined in s. 77.65 (2) (a).

SECTION 2434. 77.59 (5m) of the statutes is amended to read:

77.59 (5m) A seller who receives a refund under sub. (4) (a) or (b) of taxes that the seller has collected from buyers, who collects amounts as taxes erroneously from buyers, but who does not remit such amounts to the state, or who is entitled to a refund under sub. (4) (a) or (b) that is offset under sub. (5), shall submit the taxes and
related interest to the buyers from whom the taxes were collected, or to the
department if the seller cannot locate the buyers, within 90 days after the date of the
refund, after the date of the offset, or after discovering that the seller has collected
taxes erroneously from the buyers. If the seller does not submit the taxes and related
interest to the department or the buyers within that period, the seller shall submit
to the department any part of a refund or taxes that the seller does not submit to a
buyer or to the department along with a penalty of 25% of the amount not submitted
or, in the case of fraud, a penalty equal to the amount not submitted. A person who
collects amounts as taxes erroneously from buyers for a real property construction
activity or nontaxable service may reduce the taxes and interest that he or she is
required to submit to the buyer or to the department under this subsection for that
activity or service by the amount of tax and interest subsequently due and paid on
the sale of or the storage, use, or other consumption of tangible personal property or
items or property under s. 77.52 (1) (b) or (c) that are used by the person in that
activity or service and transferred to the buyer.

SECTION 2435. 77.59 (7) of the statutes is amended to read:

77.59 (7) If the department believes that the collection of any tax imposed by
this subchapter will be jeopardized by delay, it shall notify the person determined to
owe the tax of its intention to proceed under s. 71.91 (5) for collection of the amount
determined to be owing, including penalties and interest. Such notice shall be by
certified or registered mail or by personal service and the warrant of the department
shall not issue if the person, within 10 days after such notice furnishes a bond in such
amount not exceeding double the amount determined to be owing and with such
sureties as the department approves, conditioned upon the payment of so much of
the taxes, interest, and penalties as shall finally be determined to be due. Nothing
in this subsection shall affect the review of determinations of tax as provided in this
subchapter and any amounts collected under this subsection shall be deposited with
the secretary of administration and disbursed after final determination
of the taxes as are amounts deposited under ss. 71.89 (1) and 71.90 (2).

SECTION 2436. 77.59 (9) of the statutes is amended to read:

77.59 (9) If any person fails to file a return, the department shall make an
estimate of the amount of the gross receipts, sales price of the person's sales,
or, as the case may be, of the amount of the total sales price of tangible
personal property, items or property under s. 77.52 (1) (b) or (c), or taxable service
sold or purchased by the person, the sale by or the storage, use, or other consumption
of which in this state is subject to sales or use tax. The estimate shall be made for
the period in respect to which the person failed to make a return and shall be based
upon any information which is in the department's possession or may come into its
possession. Upon the basis of this estimate the department shall compute and
determine the amount required to be paid to the state, adding to the sum thus arrived
at a penalty equal to 25% thereof. One or more such determinations may be made
for one or for more than one period. When a business is discontinued a determination
may be made at any time thereafter, within the periods specified in sub. (3), as to
liability arising out of that business.

SECTION 2437. 77.59 (9n) of the statutes is created to read:

77.59 (9n) (a) Notwithstanding s. 73.03 (47), no seller or certified service
provider is liable for tax, interest, or penalties imposed on a transaction under this
subchapter in the circumstances covered under sections 306, 328, and 502 of the
agreement, as defined in s. 77.65 (2) (a).
(b) A purchaser is not liable for the tax, interest, or penalties imposed on a transaction under this subchapter in the circumstances covered by section 331 of the agreement, as defined in s. 77.65 (2) (a).

**SECTION 2438.** 77.59 (9p) (b) of the statutes is created to read:

77.59 (9p) (b) If a customer purchases a service that is not subject to 4 USC 116 to 126, as amended by P.L. 106−252, or tangible personal property or items or property under s. 77.52 (1) (b) or (c), and if the customer believes that the amount of the tax assessed for the sale of the service, property or items under this subchapter is erroneous, the customer may request that the seller correct the alleged error by sending a written notice to the seller. The notice shall include a description of the alleged error and any other information that the seller reasonably requires to process the request. Within 60 days from the date that a seller receives a request under this paragraph, the seller shall review its records to determine the validity of the customer's claim. If the review indicates that there is no error as alleged, the seller shall explain the findings of the review in writing to the customer. If the review indicates that there is an error as alleged, the seller shall correct the error and shall refund the amount of any tax collected erroneously, along with the related interest, as a result of the error from the customer, consistent with s. 77.59 (4). A customer may take no other action against the seller, or commence any action against the seller, to correct an alleged error in the amount of the tax assessed under this subchapter on a service that is not subject to 4 USC 116 to 126, as amended by P.L. 106−252, or tangible personal property or items or property under s. 77.52 (1) (b) or (c) unless the customer has exhausted his or her remedies under this paragraph.

**SECTION 2439.** 77.59 (9r) of the statutes is created to read:
77.59 (9r) With regard to a purchaser’s request for a refund under this section, a seller is presumed to have reasonable business practices if the seller uses a certified service provider, a certified automated system, as defined in s. 77.524 (1) (am), or a proprietary system certified by the department to collect the taxes imposed under this subchapter and if the seller has remitted to the department all taxes collected under this subchapter, less any deductions, credits, or allowances.

**SECTION 2440.** 77.60 (13) of the statutes is created to read:

77.60 (13) A person who uses any of the following documents in a manner that is prohibited by or inconsistent with this subchapter, or provides incorrect information to a seller or certified service provider related to the use of such documents or regarding an exemption to the taxes imposed under this subchapter, shall pay a penalty of $250 for each invoice or bill of sale related to the prohibited or inconsistent use or incorrect information:

(a) An exemption certificate described under ss. 77.52 (13) and 77.53 (10).

(b) A direct pay permit under s. 77.52 (17m).

(c) A direct mail form, as defined in s. 77.522 (1) (a) 1.

**SECTION 2441.** 77.61 (1) (b) of the statutes is amended to read:

77.61 (1) (b) In the case of motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles, or aircraft purchased from a licensed Wisconsin motor vehicle dealer retailer, the registrant shall present proof that the tax has been paid to such dealer retailer.

**SECTION 2442.** 77.61 (1) (c) of the statutes is amended to read:

77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles or aircraft
registered or titled, or required to be registered or titled, in this state purchased from
persons who are not Wisconsin boat, trailer or semitrailer dealers, licensed Wisconsin aircraft, motor vehicle or mobile home dealers or registered Wisconsin snowmobile or all-terrain vehicle dealers retailers, the purchaser shall file a sales tax return and pay the tax prior to registering or titling the motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft in this state.

**SECTION 2443.** 77.61 (2) of the statutes is renumbered 77.61 (2) (intro.) and amended to read:

77.61 (2) (intro.) In order to protect the revenue of the state:

(a) Except as provided in par. (b), the department may require any person who is or will be liable to it for the tax imposed by this subchapter to place with it, before or after a permit is issued, the security, not in excess of $15,000, that the department determines. In determining the amount of security to require under this subsection, the department may consider the person’s payment of other taxes administered by the department and any other relevant facts. If any taxpayer fails or refuses to place that security, the department may refuse or revoke the permit. If any taxpayer is delinquent in the payment of the taxes imposed by this subchapter, the department may, upon 10 days’ notice, recover the taxes, interest, costs and penalties from the security placed with the department by the taxpayer in the following order: costs, penalties, delinquent interest, delinquent tax. No interest may be paid or allowed by the state to any person for the deposit of security. Any security deposited under this subsection shall be returned to the taxpayer if the taxpayer has, for 24 consecutive months, complied with all the requirements of this subchapter.

**SECTION 2444.** 77.61 (2) (b) of the statutes is created to read:
77.61 (2) (b) A certified service provider who has contracted with a seller, and
filed an application, to collect and remit sales and use taxes imposed under this
subchapter on behalf of the seller shall submit a surety bond to the department to
guarantee the payment of sales and use taxes, including any penalty and interest on
such payment. The department shall approve the form and contents of a bond
submitted under this paragraph and shall determine the amount of such bond. The
surety bond shall be submitted to the department within 60 days after the date on
which the department notifies the certified service provider that the certified service
provider is registered to collect sales and use taxes imposed under this subchapter.
If the department determines, with regards to any one certified service provider, that
no bond is necessary to protect the tax revenues of this state, the secretary of revenue
or the secretary's designee may waive the requirements under this paragraph with
regard to that certified service provider. Any bond submitted under this paragraph
shall remain in force until the secretary of revenue or the secretary's designee
releases the liability under the bond.

Section 2445. 77.61 (3) of the statutes is repealed.

Section 2446. 77.61 (3m) of the statutes is created to read:

77.61 (3m) A retailer shall use a straight mathematical computation to
determine the amount of the tax that the retailer may collect from the retailer’s
customers. The retailer shall calculate the tax amount by combining the applicable
tax rates under this subchapter and subch. V and multiplying the combined tax rate
by the sales price or purchase price of each item or invoice, as appropriate. The
retailer shall calculate the tax amount to the 3rd decimal place, disregard tax
amounts of less than 0.5 cent, and consider tax amounts of at least 0.5 cent but less
than 1 cent to be an additional cent. The use of a straight mathematical computation,
as provided in this subsection, shall not relieve the retailer from liability for payment of the full amount of the tax levied under this subchapter.

**SECTION 2447.** 77.61 (4) (a) of the statutes is amended to read:

77.61 (4) (a) Every seller and retailer and every person storing, using or otherwise consuming in this state tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services purchased from a retailer shall keep such records, receipts, invoices, and other pertinent papers and records, including machine-readable records, in such form as the department requires. The department may, after giving notice, require any person to keep whatever records are needed for the department to compute the sales or use taxes the person should pay. Thereafter, the department shall add to any taxes assessed on the basis of information not contained in the records required a penalty of 25% of the amount of the tax so assessed in addition to all other penalties under this chapter.

**SECTION 2448.** 77.61 (4) (c) of the statutes is amended to read:

77.61 (4) (c) For reporting the sales tax and collecting and reporting the use tax imposed on the retailer under s. 77.53 (3) and the accounting connected with it, retailers, not including certified service providers that receive compensation under s. 73.03 (61) (h), may deduct 0.5% of those taxes payable or $10 for that reporting period required under s. 77.58 (1), whichever is greater, but not more than the amount of the sales taxes or use taxes that is payable under ss. 77.52 (1) and 77.53 (3) for that reporting period required under s. 77.58 (1), as administration expenses if the payment of the taxes is not delinquent. For purposes of calculating the retailer’s discount under this paragraph, the taxes on retail sales reported by retailers under subch. V, including taxes collected and remitted as required under s. 77.785, shall be included if the payment of those taxes is not delinquent.
SECTION 2449. 77.61 (5) (b) 11. of the statutes is amended to read:

77.61 (5) (b) 11. The department of workforce development children and families or a county child support agency under s. 59.53 (5) in response to a request under s. 49.22 (2m).

SECTION 2450. 77.61 (5m) of the statutes is created to read:

77.61 (5m) (a) In this subsection, “personally identifiable information” means any information that identifies a person.

(b) A certified service provider may use personally identifiable information as necessary only for the administration of its system to perform a seller’s sales and use tax functions and shall provide consumers clear and conspicuous notice of its practice regarding such information, including what information it collects, how it collects the information, how it uses the information, how long, if at all, it retains the information, and under what circumstances it discloses the information to states participating in the agreement, as defined in 77.65 (2) (a).

(c) A certified service provider may collect, use, and retain personally identifiable information only to verify exemption claims, to investigate fraud, and to ensure its system’s reliability.

(d) A certified service provider shall provide sufficient technical, physical, and administrative safeguards to protect personally identifiable information from unauthorized access and disclosure.

(e) For purposes of this subchapter, the state shall provide to consumers public notice of the state’s practices related to collecting, using, and retaining personally identifiable information.

(f) The state shall not retain personally identifiable information obtained for purposes of administering this subchapter unless the state is otherwise required to
retain the information by law or as provided under the agreement, as defined in s. 77.65 (2) (a).

(g) For purposes of this subchapter, the state shall provide an individual reasonable access to that individual's personally identifiable information and the right to correct any inaccurately recorded information.

(h) If any person, other than another state that is a signatory to the agreement, as defined in s. 77.65 (2) (a), or a person authorized under state law to access the information, requests access to an individual's personally identifiable information, the state shall make a reasonable and timely effort to notify the individual of the request.

SECTION 2452m. 77.61 (11) of the statutes is amended to read:

77.61 (11) Any city, village or town clerk or other official whose duty it is to issue licenses or permits to engage in a business involving the sale at retail of tangible personal property or items or property under s. 77.52 (1) (b) or (c) subject to tax under this subchapter, or the furnishing of services so subject to tax, shall, before issuing such license or permit, require proof that the person to whom such license or permit is to be issued is the holder of a seller's permit as required by this subchapter or has been informed by an employee of the department that the department will issue a seller’s permit to that person.

SECTION 2453. 77.61 (16) of the statutes is created to read:

77.61 (16) Any person who remits taxes and files returns under this subchapter may designate an agent, as defined in s. 77.524 (1) (ag), to remit such taxes and file such returns with the department in a manner prescribed by the department.

SECTION 2453m. 77.61 (17) of the statutes is created to read:
77.61 (17) With regard to services subject to the tax under s. 77.52 (2) or the lease, rental, or license of tangible personal property and property and items specified under s. 77.52 (1) (b) and (c), an increase in the tax rate applies to the first billing period beginning on or after the rate increase’s effective date and a decrease in the tax rate applies to bills that are rendered on or after the rate decrease’s effective date.

SECTION 2454. 77.63 of the statutes is repealed and recreated to read:

77.63 Collection compensation. The following persons may retain a portion of sales and use taxes collected on retail sales under this subchapter and subch. V in an amount determined by the department and by contracts that the department enters into jointly with other states as a member state of the streamlined sales tax governing board pursuant to the agreement, as defined in s. 77.65 (2) (a):

(1) A certified service provider.

(2) A seller that uses a certified automated system, as defined in s. 77.524 (1) (am).

(3) A seller that sells tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services in at least 5 states that are signatories to the agreement, as defined in s. 77.65 (2) (a); that has total annual sales revenue of at least $500,000,000; that has a proprietary system that calculates the amount of tax owed to each taxing jurisdiction in which the seller sells tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services; and that has entered into a performance agreement with the states that are signatories to the agreement, as defined in s. 77.65 (2) (a). For purposes of this subsection, “seller” includes an affiliated group of sellers using the same proprietary system to calculate the amount
of tax owed in each taxing jurisdiction in which the sellers sell tangible personal
property, items or property under s. 77.52 (1) (b) or (c), or taxable services.

**SECTION 2454.** 77.65 (2) (a) of the statutes is amended to read:

77.65 (2) (a) "Agreement" means the streamlined sales and use tax agreement,
including amendments to the agreement.

**SECTION 2455.** 77.65 (2) (c) of the statutes is repealed.

**SECTION 2456.** 77.65 (2) (e) of the statutes is amended to read:

77.65 (2) (e) "Seller" means any person who sells, leases, or rents tangible
personal property, items or property under s. 77.52 (1) (b) or (c), or services.

**SECTION 2457.** 77.65 (2) (f) of the statutes is amended to read:

77.65 (2) (f) "State" means any state of the United States and the District of
Columbia, and the Commonwealth of Puerto Rico.

**SECTION 2458.** 77.65 (4) (fm) of the statutes is created to read:

77.65 (4) (fm) Provide that a seller who registers with the central electronic
registration system under par. (f) may cancel the registration at any time, as
provided under uniform procedures adopted by the governing board of the states that
are signatories to the agreement, but is required to remit any Wisconsin taxes
collected pursuant to the agreement to the department.

**SECTION 2459.** 77.66 of the statutes is amended to read:

77.66 **Certification for collection of sales and use tax.** The secretary of
revenue shall determine and periodically certify to the secretary of administration
the names of persons, and affiliates, as defined in s. 16.70 (1b), of persons, who make
sales of tangible personal property, items and property under s. 77.52 (1) (b) and (c),
and taxable services that are subject to the taxes imposed under this subchapter but
who are not registered to collect and remit such taxes to the department or, if
registered, do not collect and remit such taxes.

SECTION 2460. 77.67 of the statutes is created to read:

77.67 Amnesty for new registrants. (1) A seller is not liable for uncollected
and unpaid taxes, including penalties and interest, imposed under this subchapter
and subch. V on sales made to purchasers in this state before the seller registers
under par. (a), if all of the following apply:

(a) The seller registers with the department, in a manner that the department
prescribes, to collect and remit the taxes imposed under this subchapter and subch.
V on sales to purchasers in this state in accordance with the agreement, as defined
in s. 77.65 (2) (a).

(b) The seller registers under par. (a) no later than 365 days after the effective
date of this state's participation in the agreement under s. 77.65 (2) (a), as
determined by the department.

(c) The seller was not registered to collect and remit the taxes imposed under
this subchapter and subch. V during the 365 consecutive days immediately before
the effective date of this state's participation in the agreement under s. 77.65 (2) (a), as
determined by the department.

(d) The seller has not received a notice of the commencement of an audit from
the department or, if the seller has received a notice of the commencement of an audit
from the department, the audit has been fully resolved, including any related
administrative and judicial processes, at the time that the seller registers under par.
(a).

(e) The seller has not committed or been involved in a fraud or an intentional
misrepresentation of a material fact.
(f) The seller collects and remits the taxes imposed under this subchapter and subch. V on sales to purchasers in this state for at least 3 consecutive years after the date on which the seller’s collection obligation begins.

(2) Subsection (1) does not apply to taxes imposed under this subchapter and subch. V that are due from the seller for purchases made by the seller.

SECTION 2461. 77.70 of the statutes is amended to read:

77.70 Adoption by county ordinance. Any county desiring to impose county sales and use taxes under this subchapter may do so by the adoption of an ordinance, stating its purpose and referring to this subchapter. The county sales and use taxes may be imposed only for the purpose of directly reducing the property tax levy and only in their entirety as provided in this subchapter. That ordinance shall be effective on the first day of January, the first day of April, the first day of July or the first day of October. A certified copy of that ordinance shall be delivered to the secretary of revenue at least 120 days prior to its effective date. The repeal of any such ordinance shall be effective on December 31. A certified copy of a repeal ordinance shall be delivered to the secretary of revenue at least 60 days before the effective date of the repeal.

SECTION 2462. 77.705 of the statutes is amended to read:

77.705 Adoption by resolution; baseball park district. A local professional baseball park district created under subch. III of ch. 229, by resolution under s. 229.68 (15), may impose a sales tax and a use tax under this subchapter at a rate of no more than 0.1% of the gross receipts or sales price or purchase price. Those taxes may be imposed only in their entirety. The resolution shall be effective on the first day of the first month, January 1, April 1, July 1, or October 1 that begins at least 30 days after the adoption of the resolution. Any moneys transferred
from the appropriation account under s. 20.566 (1) (gd) to the appropriation account
under s. 20.835 (4) (gb) shall be used exclusively to retire the district’s debt.

SECTION 2463. 77.706 of the statutes is amended to read:

77.706 Adoption by resolution; football stadium district. A local
professional football stadium district created under subch. IV of ch. 229, by
resolution under s. 229.824 (15), may impose a sales tax and a use tax under this
subchapter at a rate of 0.5% of the gross receipts or sales price or purchase price.
Those taxes may be imposed only in their entirety. The imposition of the taxes under
this section shall be effective on the first day of the first month January 1, April 1,
July 1, or October 1 that begins at least 30 120 days after the certification of the
approval of the resolution by the electors in the district’s jurisdiction under s. 229.824
(15). Any moneys transferred from the appropriation account under s. 20.566 (1) (ge)
to the appropriation account under s. 20.835 (4) (ge) shall be used exclusively to retire
the district’s debt.

SECTION 2464. 77.707 (1) of the statutes is amended to read:

77.707 (1) Retailers and the department of revenue may not collect a tax under
s. 77.705 for any local professional baseball park district created under subch. III of
ch. 229 after the last day of the calendar quarter during that is at least 120 days from
the date on which the local professional baseball park district board makes a
certification to the department of revenue under s. 229.685 (2), except that the
department of revenue may collect from retailers taxes that accrued before the day
after the last day of that calendar quarter and fees, interest and penalties that relate
to those taxes.

SECTION 2465. 77.707 (2) of the statutes is amended to read:
77.707 (2) Retailers and the department of revenue may not collect a tax under
s. 77.706 for any local professional football stadium district created under subch. IV
of ch. 229 after the last day of the calendar quarter during that is at least 120 days
from the date on which the local professional football stadium district board makes
all of the certifications to the department of revenue under s. 229.825 (3), except that
the department of revenue may collect from retailers taxes that accrued before the
day after the last day of that calendar quarter and fees, interest and penalties that
relate to those taxes.

SECTION 2466. 77.71 (1) of the statutes is amended to read:

77.71 (1) For the privilege of selling, licensing, leasing or renting tangible
personal property, and the property and items specified under s. 77.52 (1) (b) and (c),
and for the privilege of selling, licensing, performing or furnishing services a sales
tax is imposed upon retailers at the rate of 0.5% in the case of a county tax or at the
rate under s. 77.705 or 77.706 in the case of a special district tax of the gross receipts
sales price from the sale, licensing, lease or rental of tangible personal property, and
the property and items specified under s. 77.52 (1) (b) and (c), except property taxed
under sub. (4), sold, licensed, leased or rented at retail in the county or special district
or from selling, licensing, performing or furnishing services described under s. 77.52
(2) in the county or special district.

SECTION 2467. 77.71 (2) of the statutes is amended to read:

77.71 (2) An excise tax is imposed at the rate of 0.5% in the case of a county tax
or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the sales
purchase price upon every person storing, using or otherwise consuming in the
county or special district tangible personal property, property and items specified
under s. 77.52 (1) (b) and (c), or services if the property, item, or service is subject to
the state use tax under s. 77.53, except that a receipt indicating that the tax under sub. (1), (3) or (4) has been paid relieves the buyer of liability for the tax under this subsection and except that if the buyer has paid a similar local tax in another state on a purchase of the same property, item, or services that tax shall be credited against the tax under this subsection and except that for motor vehicles that are used for a purpose in addition to retention, demonstration or display while held for sale in the regular course of business by a dealer the tax under this subsection is imposed not on the sales purchase price but on the amount under s. 77.53 (1m).

**SECTION 2468.** 77.71 (3) of the statutes is amended to read:

77.71 (3) An excise tax is imposed upon a contractor engaged in construction activities within the county or special district, at the rate of 0.5% in the case of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the sales purchase price of tangible personal property that is used in constructing, altering, repairing or improving real property and that becomes a component part of real property in that county or special district, except that if the contractor has paid the sales tax of a county in the case of a county tax or of a special district in the case of a special district tax in this state on that property, or has paid a similar local sales tax in another state on a purchase of the same property, that tax shall be credited against the tax under this subsection.

**SECTION 2469.** 77.71 (4) of the statutes is amended to read:

77.71 (4) An excise tax is imposed at the rate of 0.5% in the case of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the sales purchase price upon every person storing, using or otherwise consuming a motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft, if that property must be registered or
titled with this state and if that property is to be customarily kept in a county that
has in effect an ordinance under s. 77.70 or in a special district that has in effect a
resolution under s. 77.705 or 77.706, except that if the buyer has paid a similar local
sales tax in another state on a purchase of the same property that tax shall be
credited against the tax under this subsection.

Section 2470. 77.72 (title) of the statutes is repealed.

Section 2471. 77.72 (1) of the statutes is renumbered 77.72 and amended to
read:

77.72 General rule for property. For the purposes of this subchapter, all
retail sales of tangible personal property are completed at the time when, and the
place where, the seller or the seller's agent transfers possession to the buyer or the
buyer's agent. In this subsection, a common carrier or the U.S. postal service is the
agent of the seller, regardless of any f.o.b. point and regardless of the method by
which freight or postage is paid. Rentals and leases of property, except property
under sub. (2), have a situs at the location of that property, and property and items
specified under s. 77.52 (1) (b) and (c), and taxable services occur as provided in s.
77.522.

Section 2472. 77.72 (2) and (3) of the statutes are repealed.

Section 2473. 77.73 (2) of the statutes is amended to read:

77.73 (2) Counties and special districts do not have jurisdiction to impose the
tax under s. 77.71 (2) in regard to items and property under s. 77.52 (1) (b) and (c)
and tangible personal property, except snowmobiles, trailers, semitrailers, and
all-terrain vehicles, purchased in a sale that is consummated in another county or
special district in this state that does not have in effect an ordinance or resolution
imposing the taxes under this subchapter and later brought by the buyer into the
county or special district that has imposed a tax under s. 77.71 (2).

SECTION 2473. 77.73 (3) of the statutes is created to read:

77.73 (3) Counties and special districts have jurisdiction to impose the taxes
under this subchapter on retailers who file an application under s. 77.52 (7) or who
register under s. 77.53 (9) or (9m), regardless of whether such retailers are engaged
in business in the county or special district, as provided in s. 77.51 (13g). A retailer
who files an application under s. 77.52 (7) or who registers under s. 77.53 (9) or (9m)
shall collect, report, and remit to the department the taxes imposed under this
subchapter for all counties and special districts that have an ordinance or resolution
imposing the taxes under this subchapter.

SECTION 2474. 77.75 of the statutes is amended to read:

77.75 Reports. Every person subject to county or special district sales and use
taxes shall, for each reporting period, record that person’s sales made in the county
or special district that has imposed those taxes separately from sales made
elsewhere in this state and file a report of the measure of the county or special district
sales and use taxes and the tax due thereon separately as prescribed by the
department of revenue.

SECTION 2476. 77.77 (1) of the statutes is renumbered 77.77 (1) (a) and
amended to read:

77.77 (1) (a) The gross receipts sales price from services subject to the tax under
s. 77.52 (2) are not or the lease, rental, or license of tangible personal property, and
property and items specified under s. 77.52 (1) (b) and (c), is subject to the taxes under
this subchapter, and the incremental amount of tax caused by a rate increase
applicable to those services, leases, rentals, or licenses is not due, if those services
are billed to the customer and paid for before beginning with the first billing period starting on or after the effective date of the county ordinance, special district resolution, or rate increase, regardless of whether the service is furnished or the property or item is leased, rented, or licensed to the customer before or after that date.

**Section 2477.** 77.77 (1) (b) of the statutes is created to read:

77.77 (1) (b) The sales price from services subject to the tax under s. 77.52 (2) or the lease, rental, or license of tangible personal property, and property and items specified under s. 77.52 (1) (b) and (c), is not subject to the taxes under this subchapter, and a decrease in the tax rate imposed under this subchapter on those services first applies, beginning with bills rendered on or after the effective date of the repeal or sunset of a county ordinance or special district resolution imposing the tax or other rate decrease, regardless of whether the service is furnished or the property or item is leased, rented, or licensed to the customer before or after that date.

**Section 2478.** 77.77 (2) of the statutes is repealed.

**Section 2479.** 77.785 (1) of the statutes is amended to read:

77.785 (1) All retailers shall collect and report the taxes under this subchapter on the gross receipts sales price from leases and rentals of property or items and property under s. 77.52 (1) (b) and (c) under s. 77.71 (4).

**Section 2480.** 77.785 (2) of the statutes is amended to read:

77.785 (2) Prior to registration or titling, a retailer of a boat, all−terrain vehicle, trailer and semi−trailer dealers and licensed aircraft, motor vehicle, or mobile home and snowmobile dealers shall collect the taxes under this subchapter on sales of
items under s. 77.71 (4). The dealer retailer shall remit those taxes to the
department of revenue along with payments of the taxes under subch. III.

**SECTION 2480c.** 77.81 (5) of the statutes is created to read:

> 77.81 (5) “Nonprofit organization” means a nonprofit corporation, a charitable
> trust, or other nonprofit association that is described in section 501 (c) (3) of the
> Internal Revenue Code and is exempt from federal income tax under section 501 (a)
> of the Internal Revenue Code.

**SECTION 2480d.** 77.81 (6) of the statutes is created to read:

> 77.81 (6) “Recreational activities” include hunting, fishing, hiking,
sight-seeing, cross-country skiing, horseback riding, and staying in cabins.

**SECTION 2480j.** 77.83 (2) (am) of the statutes is created to read:

> 77.83 (2) (am) 1. For land designated as managed forest land under an order
> that takes effect on or after the effective date of this subdivision .... [revisor inserts
> date], no person may enter into a lease or other agreement for consideration if the
> purpose of the lease or agreement is to permit persons to engage in a recreational
> activity.

> 2. For land designated as managed forest land under an order that took effect
> before the effective date of this subdivision .... [revisor inserts date], all of the
> following apply:

> a. An owner of managed forest land may enter into a lease or other agreement
> for consideration that permits persons to engage in a recreational activity if the lease
> or agreement terminates before the January 1 immediately following the effective
> date of this subdivision .... [revisor inserts date].

> b. A lease or other agreement for consideration that permits persons to engage
> in a recreational activity and that is in effect on the effective date of this subdivision
... [revisor inserts date] shall be void beginning on the January 1 immediately following the effective date of this subdivision .... [revisor inserts date].

3. Subdivisions 1. and 2. do not apply to any lease or other agreement if the consideration involved solely consists of reasonable membership fees charged by a nonprofit organization and the lease or agreement is approved by the department.

SECTION 2480p. 77.83 (4) of the statutes is renumbered 77.83 (4) (a).

SECTION 2480r. 77.83 (4) (b) of the statutes is created to read:

77.83 (4) (b) Any person who fails to comply with sub. (2) (am) shall forfeit an amount equal to the total amount of consideration received by the person as a result of violating sub. (2) (am) or $500, whichever is greater.

SECTION 2481. 77.89 (2) (b) of the statutes is amended to read:

77.89 (2) (b) The municipal treasurer shall pay all amounts received under s. 77.84 (2) (b) and (bm) to the county treasurer, as provided under ss. 74.25 and 74.30. The county treasurer shall, by June 30 of each year, pay all amounts received under this paragraph to the department. All amounts received by the department shall be credited to the conservation fund and shall be reserved for land acquisition and resource management activities, and grants under s. 77.895.

SECTION 2482. 77.895 of the statutes is created to read:

77.895 Grants for land acquisitions for outdoor activities. (1)

DEFINITIONS. In this section:

(a) “Board” means the managed forest land board.

(b) “Land” means land in fee simple, conservation easements, and other easements in land.

(c) “Local governmental unit” means a city, village, town, or county.
(d) “Nonprofit conservation organization” has the meaning given in s. 23.0955 (1).

(2) **Program.** The department shall establish a program to award grants to nonprofit conservation organizations, to local governmental units, and to itself to acquire land to be used for hunting, fishing, hiking, sightseeing, and cross-country skiing. The board shall administer the program and award the grants under the program.

(3) **Requirements.** The department, in consultation with the board, shall promulgate rules establishing requirements for awarding grants under this section. The rules promulgated under this subsection shall include all of the following:

(a) A requirement that the board give higher priority to counties over other grant applicants in awarding grants under this section.

(b) A requirement that, in awarding grants to counties under this section, the board give higher priority to counties that have higher numbers of acres that are designated as closed under s. 77.83.

(c) A requirement that, in awarding grants to towns under this section, the board give higher priority to towns that have higher numbers of acres that are designated as closed under s. 77.83.

(d) A requirement that no grant may be awarded under this section without it being approved by the board of each county in which the land to be acquired is located.

(e) Requirements concerning the use of sound forestry practices on land acquired under this section.
(gm) A requirement that land acquired with a grant under this section be open to hunting, fishing, and trapping during all applicable hunting, fishing, and trapping seasons.

(4) USE OF LAND. Land acquired under this section may be used for purposes in addition to those specified in sub. (2) if the additional uses are compatible with the purposes specified in sub. (2).

SECTION 2483. 77.92 (4) of the statutes is amended to read:

77.92 (4) “Net business income,” with respect to a partnership, means taxable income as calculated under section 703 of the Internal Revenue Code; plus the items of income and gain under section 702 of the Internal Revenue Code, including taxable state and municipal bond interest and excluding nontaxable interest income or dividend income from federal government obligations; minus the items of loss and deduction under section 702 of the Internal Revenue Code, except items that are not deductible under s. 71.21; plus guaranteed payments to partners under section 707 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (3g), (3h), (3s), (3n), (3p), (3t), (3w), (5b), (5e), (5f), (5g), and (5i), (5j), (5k); and plus or minus, as appropriate, transitional adjustments, depreciation differences, and basis differences under s. 71.05 (13), (15), (16), (17), and (19); but excluding income, gain, loss, and deductions from farming. “Net business income,” with respect to a natural person, estate, or trust, means profit from a trade or business for federal income tax purposes and includes net income derived as an employee as defined in section 3121 (d) (3) of the Internal Revenue Code.

SECTION 2483q. 77.97 of the statutes is amended to read:
77.97 **Use of revenue.** The department of revenue shall deposit the surcharge, interest and penalties collected under this subchapter in the recycling and renewable energy fund under s. 25.49.

**SECTION 2484.** 77.98 of the statutes is amended to read:

77.98 **Imposition.** A local exposition district under subch. II of ch. 229 may impose a tax on the retail sale, except sales for resale, within the district's jurisdiction under s. 229.43 of products that are subject to a tax under s. 77.54 (20) (c) 1. to 3. and not candy, as defined in s. 77.51 (1fm), prepared food, as defined in s. 77.51 (10m), and soft drinks, as defined in s. 77.51 (17w), unless exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9), (9a) or (20) (c) 5., (20n) (b) and (c), and (20r).

**SECTION 2485.** 77.981 of the statutes is amended to read:

77.981 **Rate.** The tax under s. 77.98 is imposed on the sale of taxable products at the rate of 0.25% of the gross receipts sales price, except that the district, by a vote of a majority of the authorized members of its board of directors, may impose the tax at the rate of 0.5% of the gross receipts sales price. A majority of the authorized members of the district's board may vote that, if the balance in a special debt service reserve fund of the district is less than the requirement under s. 229.50 (5), the tax rate under this subchapter is 0.5%. The 0.5% rate shall be effective on the next January 1, April 1, July 1 or October 1, and this tax is irrepealable if any bonds issued by the district and secured by the special debt service reserve fund are outstanding.

**SECTION 2486ac.** 77.982 (2) of the statutes is amended to read:

77.982 (2) Sections 77.51 (4) (a), (b) 1., 2., 3. and 4., (c) 1. to 3. and (d), (14) (a) to (f), (j) and (k) and (14g), 77.52 (1b), (3), (6), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5) and (7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14) and 77.62, as they
apply to the taxes under subch. III, apply to the tax under this subchapter. Sections 77.72 (1) and 77.73, as they apply to the taxes under subch. V, apply to the tax under this subchapter.

**SECTION 2486ac.** 77.982 (2) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.982 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the tax under this subchapter.

**SECTION 2487.** 77.99 of the statutes is amended to read:

77.99 **Imposition.** A local exposition district under subch. II of ch. 229 may impose a tax at the rate of 3% of the gross receipts **sales price** on the rental, but not for rerental and not for rental as a service or repair replacement vehicle, within the district’s jurisdiction under s. 229.43, of Type 1 automobiles, as defined in s. 340.01 (4) (a), by establishments primarily engaged in short-term rental of passenger cars without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9) or (9a). If the state makes a payment under s. 229.50 (7) to a district’s special debt service reserve fund, a majority of the district’s authorized board of directors may vote to increase the tax rate under this subchapter to 4%. A resolution to adopt the taxes imposed under this section, or an increase in the tax rate, shall be effective on the first January 1, April 1, July 1, or October 1 following the adoption of the resolution or tax increase.

**SECTION 2488ac.** 77.991 (2) of the statutes is amended to read:
77.991 (2) Sections 77.51 (4) (a), (b) 1., 2., and 4., (c) 1. to 3. and (d) and (14) (a) to (f), (j) and (k), 77.52 (1b), (4), (6), (13), (14), and (18), 77.53 (1b), 77.58 (1) to (5) and (7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14) and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Sections 77.72 (1) and (2) (a) and 77.73, as they apply to the taxes under subch. V, apply to the tax under this subchapter. The renter shall collect the tax under this subchapter from the person to whom the passenger car is rented.

SECTION 2488ae. 77.991 (2) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.991 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the tax under this subchapter. The renter shall collect the tax under this subchapter from the person to whom the passenger car is rented.

SECTION 2489. 77.994 (1) (intro.) of the statutes is amended to read:

77.994 (1) (intro.) Except as provided in sub. (2), a municipality or a county all of which is included in a premier resort area under s. 66.1113 may, by ordinance, impose a tax at a rate of 0.5% of the gross receipts sales price from the sale, license, lease, or rental in the municipality or county of goods or services that are taxable under subch. III made by businesses that are classified in the standard industrial classification manual, 1987 edition, published by the U.S. office of management and budget, under the following industry numbers:

SECTION 2490. 77.9941 (4) of the statutes is amended to read:
77.9941 (4) Sections 77.72 (1), (2) (a) and (3) (a), 77.73, 77.74, 77.75, 77.76 (1), (2), and (4), 77.77 (1) and (2), 77.785 (1), and 77.79, as they apply to the taxes under subch. V, apply to the tax under this subchapter.

SECTION 2490. 77.995 (2) of the statutes is repealed and recreated to read:

77.995 (2) There is imposed a fee at the rate of 5% of the sales price on the rental, but not for rerental and not for rental as a service or repair replacement vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as defined in s. 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged in short-term rental of vehicles without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). There is also imposed a fee at the rate of 5% of the sales price on the rental of limousines.

SECTION 2492ac. 77.9951 (2) of the statutes is amended to read:

77.9951 (2) Sections 77.51 (4) (a), (b) 1., 2., and 4., (c) 1. to 3. and (d) and (14) (a) to (f), (j) and (k), 77.52 (1b), (4), (6), (13), (14), and (18), 77.53 (1b), 77.58 (1) to (5) and (7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14), and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the vehicle is rented.

SECTION 2492ae. 77.9951 (2) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.9951 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the vehicle is rented.
SECTION 2493. 77.996 (6) of the statutes is amended to read:

77.996 (6) “Gross receipts” has the meaning given in s. 77.51 (4) (a), (b) 1. and 5., (c) 1. to 4., and (d) means the sales price, as defined in s. 77.51 (15b), of tangible personal property and taxable services sold by a dry cleaning facility. “Gross receipts” does not include the license fee imposed under s. 77.9961 (1m) that is passed on to customers.

SECTION 2494. 77.9961 (1m) of the statutes is amended to read:

77.9961 (1m) Every person operating a dry cleaning facility shall pay to the department a fee for each dry cleaning facility that the person operates. The fee shall be paid in installments, as provided in sub. (2), and each installment is equal to 1.8% 2.8 percent of the gross receipts from the previous 3 months from dry cleaning apparel and household fabrics, but not from formal wear the facility rents to the general public.

SECTION 2495ac. 77.9972 (2) of the statutes is amended to read:

77.9972 (2) Sections 77.51 (4) (a), (b) 1., 2., and 4., (c) 1. to 3. and (d) and (14) (a) to (f), (j), and (k), 77.52 (1b) (4), (6), (13), (14), and (18), 77.53 (1b), 77.58 (1) to (5) and (7), 77.59, 77.60, 77.61 (2), (5), (8), (9), and (12) to (14), and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. Sections 77.72 (1) and (2) (a) and 77.73, as they apply to the taxes under subch. V, apply to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the passenger car is rented.

SECTION 2495ae. 77.9972 (2) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is repealed and recreated to read:

77.9972 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4), (13), (14), (18), and (19), 77.53 (1b), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59,
77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch. III, apply to the fee under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the fee under this subchapter. The renter shall collect the fee under this subchapter from the person to whom the passenger car is rented.

**SECTION 2505d.** 79.04 (1) (intro.) of the statutes is amended to read:

79.04 (1) (intro.) Annually, except for production plants that begin operation after December 31, 2003, or begin operation as a repowered production plant after December 31, 2003, and except as provided in sub. (4m), the department of administration, upon certification by the department of revenue, shall distribute to a municipality having within its boundaries a production plant, general structure, or substation, used by a light, heat, or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the production plant or substation is owned or operated by a local governmental unit located outside of the municipality, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825 the amount determined as follows:

**SECTION 2505dm.** 79.04 (1) (a) of the statutes is amended to read:

79.04 (1) (a) An amount from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats., determined by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village, the first $125,000,000 of the amount shown in the account, plus leased property, of each public utility except qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for “production plant, exclusive of land,” “general structures,” and “substations,” in the case of light,
heat and power companies, electric cooperatives or municipal electric companies, for
dall property within a municipality in accordance with the system of accounts
established by the public service commission or rural electrification administration,
less depreciation thereon as determined by the department of revenue and less the
value of treatment plant and pollution abatement equipment, as defined under s.
70.11 (21) (a), as determined by the department of revenue plus an amount from the
shared revenue account or, for the distribution in 2003, from the appropriation under
s. 20.835 (1) (t), 2003 stats., determined by multiplying by 3 mills in the case of a
town, and 6 mills in the case of a city or village, of the first $125,000,000 of the total
original cost of production plant, general structures, and substations less
depreciation, land and approved waste treatment facilities of each qualified
wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the
department of revenue of all property within the municipality. The total of amounts,
as depreciated, from the accounts of all public utilities for the same production plant
is also limited to not more than $125,000,000. The amount distributable to a
municipality under this subsection and sub. (6) in any year shall not exceed $300
times the population of the municipality, increased annually by $125 per person
beginning in 2009.

SECTION 2505e. 79.04 (1) (b) 1. of the statutes is amended to read:

79.04 (1) (b) 1. Beginning with the distribution under this subsection in 1991,
and ending with the distribution under this subsection in 2008, the amount
determined under par. (a) to value property used by a light, heat or power company
in a municipality may not be less than the amount determined to value the property
for the distribution to the municipality under this subsection in 1990, subject to
subds. 2., 3. and 4.
SECTION 2505f. 79.04 (2) (a) of the statutes is amended to read:

79.04 (2) (a) Annually, except for production plants that begin operation after December 31, 2003, or begin operation as a repowered production plant after December 31, 2003, and except as provided in sub. (4m), the department of administration, upon certification by the department of revenue, shall distribute from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats., to any county having within its boundaries a production plant, general structure, or substation, used by a light, heat or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the production plant or substation is owned or operated by a local governmental unit that is located outside of the municipality in which the production plant or substation is located, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825 an amount determined by multiplying by 6 mills in the case of property in a town and by 3 mills in the case of property in a city or village the first $125,000,000 of the amount shown in the account, plus leased property, of each public utility except qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for “production plant, exclusive of land,” “general structures,” and “substations,” in the case of light, heat and power companies, electric cooperatives or municipal electric companies, for all property within the municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by the department of revenue plus an amount from the shared revenue account or,
for the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003
stats., determined by multiplying by 6 mills in the case of property in a town, and 3
mills in the case of property in a city or village, of the total original cost of production
plant, general structures, and substations less depreciation, land and approved
waste treatment facilities of each qualified wholesale electric company, as defined in
s. 76.28 (1) (gm), as reported to the department of revenue of all property within the
municipality. The total of amounts, as depreciated, from the accounts of all public
utilities for the same production plant is also limited to not more than $125,000,000.
The amount distributable to a county under this subsection and sub. (6) in any year
shall not exceed $100 times the population of the county, increased annually by $25
per person beginning in 2009.

SECTION 2505g. 79.04 (2) (am) 1. of the statutes is amended to read:

79.04 (2) (am) 1. Beginning with the distribution under this subsection in 1991,
and ending with the distribution under this subsection in 2008, the amount
determined under par. (a) to value property used by a light, heat or power company
in a county may not be less than the amount determined to value the property for the
distribution to the county under this subsection in 1990, subject to subs. 2. and 3.

SECTION 2505h. 79.04 (4m) of the statutes is created to read:

79.04 (4m) Beginning with distributions in 2009, for production plants
described under subs. (1) and (2), if in any year the payments to the municipality and
county in which the production plant is located would be greater under subs. (6) and
(7) (c) 1. based on the production plant’s name-plate capacity than under sub. (1) or
(2) based on the depreciated net book value of the production plant, the municipality
and county shall receive payments under subs. (6) and (7) (c) 1., rather than under
sub. (1) or (2), beginning in that year and in each year thereafter.
\textbf{SECTION 2505i.} 79.04 (6) (a) of the statutes is amended to read:

79.04 (6) (a) Annually, beginning in 2005, for production plants that begin operation after December 31, 2003, or begin operation as a repowered production plant after December 31, 2003, except as provided in sub. (4m), the department of administration, upon certification by the department of revenue, shall distribute payments from the public utility account, as determined under par. (b), to each municipality and county in which a production plant is located, if the production plant has a name-plate capacity of at least one megawatt and is used by a light, heat, or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813, unless the production plant is owned or operated by a local governmental unit located outside of the municipality; by a qualified wholesale electric company, as defined in s. 76.28 (1) (gm); by a wholesale merchant plant, as defined in s. 196.491 (1) (w); by an electric cooperative assessed under ss. 76.07 and 76.48, respectively; or by a municipal electric company under s. 66.0825.

\textbf{SECTION 2511.} 79.10 (1m) (b) of the statutes is amended to read:

79.10 (1m) (b) Counties and municipalities shall submit to the department of revenue all data related to the lottery and gaming credit and the first dollar credit as requested by the department of revenue.

\textbf{SECTION 2512.} 79.10 (2) of the statutes is renumbered 79.10 (2) (a) and amended to read:

79.10 (2) (a) \textbf{NOTICE TO MUNICIPALITIES.} On or before December 1 of the year preceding the distribution under sub. (7m) (a), the department of revenue shall notify the clerk of each town, village and city of the estimated fair market value, as determined under sub. (11) (c), to be used to calculate the lottery and gaming credit under sub. (5) and of the amount to be distributed to it under sub. (7m) (a) on the
following 4th Monday in July. The anticipated receipt of such distribution shall not be taken into consideration in determining the tax rate of the municipality but shall be applied as tax credits.

**SECTION 2513.** 79.10 (2) (b) of the statutes is created to read:

79.10 (2) (b) On or before December 1 of the year preceding the distribution under sub. (7m) (c), the department of revenue shall notify the clerk of each town, village, and city of the estimated fair market value, as determined under sub. (11) (d), used to calculate the first dollar credit under sub. (5m) and of the amount to be distributed to it under sub. (7m) (c) on the following 4th Monday in July. The anticipated receipt of such distribution shall not be taken into consideration in determining the tax rate of the municipality but shall be applied as tax credits.

**SECTION 2514.** 79.10 (4) of the statutes is amended to read:

79.10 (4) **School Levy Tax Credit.** The Except as provided in sub. (5m), the amount appropriated under s. 20.835 (3) (b) shall be distributed to municipalities in proportion to their share of the sum of average school tax levies for all municipalities.

**SECTION 2515.** 79.10 (5) of the statutes is amended to read:

79.10 (5) **Lottery and Gaming Credit.** Each municipality shall receive, from the appropriation under s. 20.835 (3) (q), an amount determined by multiplying the school tax rate by the estimated fair market value, not exceeding the value determined under sub. (11) (c), of every principal dwelling that is located in the municipality and for which a claim for the credit under sub. (9) (bm) is made by the owner of the principal dwelling.

**SECTION 2516.** 79.10 (5m) of the statutes is created to read:

79.10 (5m) **First Dollar Credit.** Each municipality shall receive, from the appropriation under s. 20.835 (3) (b), an amount determined by multiplying the
school tax rate by the estimated fair market value, not exceeding the value
determined under sub. (11) (d), of every parcel of real property with improvements
that is located in the municipality.

**SECTION 2517.** 79.10 (6m) (a) of the statutes is amended to read:

79.10 (6m) (a) Except as provided in pars. (b) and (c), if the department of
administration or the department of revenue determines by October 1 of the year of
any distribution under subs. (4) and (5m) that there was an overpayment
or underpayment made in that year’s distribution by the department of
administration to municipalities, as determined under subs. (4) and (5m),
because of an error by the department of administration, the department of revenue
or any municipality, the overpayment or underpayment shall be corrected as
provided in this paragraph. Any overpayment shall be corrected by reducing the
subsequent year’s distribution, as determined under subs. (4) and (5m), by
an amount equal to the amount of the overpayment. Any underpayment shall be
corrected by increasing the subsequent year’s distribution, as determined under
subs. (4) and (5m), by an amount equal to the amount of the underpayment.
Corrections shall be made in the distributions to all municipalities affected by the
error. Corrections shall be without interest.

**SECTION 2518.** 79.10 (7m) (c) of the statutes is created to read:

79.10 (7m) (c) *First dollar credit.* 1. The amount determined under sub. (5m)
shall be distributed from the appropriation under s. 20.835 (3) (b) by the department
of administration on the 4th Monday in July.

2. The town, village, or city treasurer shall settle for the amounts distributed
on the 4th Monday in July under this paragraph with the appropriate county
treasurer not later than August 15. Failure to settle timely under this subdivision
subjects the town, village, or city treasurer to the penalties under s. 74.31. On or
before August 20, the county treasurer shall settle with each taxing jurisdiction,
including towns, villages, and cities except 1st class cities, in the county.

**SECTION 2519.** 79.10 (9) (bn) of the statutes is created to read:

79.10 (9) (bn) **First dollar credit.** Except as provided in ss. 79.175 and 79.18,
and subject to s. 79.15, the first dollar credit shall be allocated to every parcel of real
estate on which improvements are located in an amount determined by multiplying
the estimated fair market value of the property, not exceeding the value determined
under sub. (11) (d), by the school tax rate.

**SECTION 2520.** 79.10 (9) (c) 3. of the statutes is created to read:

79.10 (9) (c) 3. The credit under par. (bn) shall reduce the property taxes
otherwise payable.

**SECTION 2521.** 79.10 (11) (d) of the statutes is created to read:

79.10 (11) (d) Before December 1, the department of revenue shall calculate,
to the nearest $100, the estimated fair market value necessary to distribute the total
amount available for distribution under s. 79.15.

**SECTION 2522.** 79.14 of the statutes is amended to read:

79.14 **School levy tax credit.** The appropriation under s. 20.835 (3) (b), for
the payments under s. 79.10 (4), is $319,305,000 in 1994, 1995, and 1996;
$469,305,000 beginning in 1997 and ending in 2006; and $593,050,000 in each year
thereafter.

**SECTION 2523.** 79.15 of the statutes is created to read:

79.15 **Improvements credit.** Beginning in 2009, the total amount paid each
year to municipalities from the appropriation account under s. 20.835 (3) (b) for the
payments under s. 79.10 (5m) is $100,000,000.
SECTION 2532. 84.09 (1) of the statutes is amended to read:

84.09 (1) The department may acquire by gift, devise, purchase or condemnation any lands for establishing, laying out, widening, enlarging, extending, constructing, reconstructing, improving and maintaining highways and other transportation related facilities, or interests in lands in and about and along and leading to any or all of the same; and after establishment, layout and completion of such improvements, the department may convey such lands thus acquired and not necessary for such improvements, with reservations concerning the future use and occupation of such lands so as to protect such public works and improvements and their environs and to preserve the view, appearance, light, air and usefulness of such public works. Whenever the department deems it necessary to acquire any such lands or interests therein for any transportation related purpose, it shall so order and in such order or on a map or plat show the old and new locations and the lands and interests required, and shall file a copy of the order and map with the county clerk and county highway committee of each county in which such lands or interests are required or, in lieu of filing a copy of the order and map, may file or record a plat in accordance with s. 84.095. For the purposes of this section the department may acquire private or public lands or interests in such lands. When so provided in the department’s order, such land shall be acquired in fee simple. Unless it elects to proceed under sub. (3), the department shall endeavor to obtain easements or title in fee simple by conveyance of the lands or interests required at a price, including any damages, deemed reasonable by the department. The instrument of conveyance shall name the state as grantee and shall be recorded in the office of the register of deeds. The purchase or acquisition of lands or interests therein under this section is excepted and exempt from s. 20.914 (1). The department may purchase or accept
donations of remnants of tracts or parcels of land existing at the time or after it has acquired portions of such tracts or parcels by purchase or condemnation for transportation purposes where in the judgment of the department such action would assist in making whole the landowner, a part of whose lands have been taken for transportation purposes and would serve to minimize the overall costs of such taking by the public. This subsection does not apply to lands that are sold under s. 16.848.

SECTION 2533. 84.185 (1) (ce) of the statutes is amended to read:

84.185 (1) (ce) “Job” has the meaning specified in s. 560.60 (10) 560.17 (1) (bm).

SECTION 2534. 84.185 (1) (cm) of the statutes is amended to read:

84.185 (1) (cm) “Political subdivision” has the meaning specified in s. 560.60 (13) means a county, city, town, or village.

SECTION 2537. 84.59 (2) (b) of the statutes is amended to read:

84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and distinct special fund outside the state treasury, in an account maintained by a trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), (4), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14 (1r), and from any payments received with respect to agreements or ancillary arrangements entered into under s. 18.55 (6) with respect to revenue obligations issued under this section. The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section. Revenue
obligations issued for the purposes specified in sub. (1) and for the repayment of which revenues are deposited under this paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in s. 18.52 (8).

SECTION 2538. 84.59 (6) of the statutes is amended to read:

84.59 (6) The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed $2,324,377,900, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and major highway projects for the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section, to make payments under agreements or ancillary arrangements entered into under s. 18.55 (6) with respect to revenue obligations issued under this section, and to pay expenses associated with revenue obligations contracted under this section.

SECTION 2542. 85.037 of the statutes is amended to read:

85.037 Certification of fees collected. Annually, no later than October 1, the Beginning with the 2008–09 fiscal year, the secretary of transportation shall certify to the secretary of administration, no later than 14 days after the last day of each quarter of each fiscal year, the amount of fees collected under s. 342.14 (3m) during the previous fiscal year that quarter, for the purpose of determining the
amounts to be transferred under s. 20.855 (4) (f) during the current fiscal year. No
later than 14 days after the last day of each quarter of each fiscal year, the secretary
of administration shall transfer, under s. 20.855 (4) (f), from the general fund to the
environmental fund the amount of fees collected under s. 342.14 (3m) during that
quarter.

SECTION 2544. 85.09 (4i) of the statutes is amended to read:

85.09 (4i) Disposal of rail property. The department shall sell at public or
private sale rail property acquired under sub. (4) when the department determines
that the rail property is not necessary for a public purpose and, if real property, the
real property is not the subject of a petition under s. 560.9810 (2). Upon receipt of
the full purchase price, the department shall, by appropriate deed or other
instrument, transfer the rail property to the purchaser. The funds derived from sales
under this subsection shall be deposited in the transportation fund, and the expense
incurred by the department in connection with the sale shall be paid from the
appropriation under s. 20.395 (2) (bq). This subsection does not apply to real
property that is sold under s. 16.848.

SECTION 2549. 85.24 (4) (b) of the statutes is amended to read:

85.24 (4) (b) Paragraph (a) does not prohibit the disclosure of the information
to the extent necessary to administer the ride-sharing program nor, if requested
under s. 49.22 (2m), does it prohibit disclosure of the name or address of a person or
of his or her employer to the department of workforce development children and
families or a county child support agency under s. 59.53 (5).

SECTION 2550. 85.24 (4) (c) of the statutes is amended to read:

85.24 (4) (c) Any person who willfully discloses or who, under false pretenses,
willfully requests or obtains information in violation of par. (a) may be required to
forfeit not more than $500 for each violation. This paragraph does not apply to information disclosed, requested or obtained to the extent necessary to administer the ride-sharing program or, if requested under s. 49.22 (2m), to the department of workforce development, children and families or a county child support agency under s. 59.53 (5).

SECTION 2551. 86.195 (3) (b) 3. of the statutes is amended to read:

86.195 (3) (b) 3. Fifty percent of the gross receipts sales price, as defined in s. 77.51 (15b), of the business are from meal, food, the sale of food product and beverage sales and food ingredients, as defined in s. 77.51 (3t), that are taxable under s. 77.54 (20) (c) subch. III of ch. 77; and

SECTION 2557m. 86.31 (3t) of the statutes is created to read:

86.31 (3t) PAYMENTS RELATED TO ENVIRONMENTAL REVIEW OF LOCAL PROJECTS. Notwithstanding limitations on the amount and use of aids provided under this section, or on eligibility requirements for receiving aids under this section, and subject to any applicable interagency agreement between the department of transportation and the department of natural resources, the department of transportation may make a payment in each fiscal year to the department of natural resources to support 3.0 full-time equivalent positions in the department of natural resources related to the environmental review of local transportation projects. Notwithstanding sub. (3), any payment under this subsection shall be made from the appropriation under s. 20.395 (2) (fr) before making any other allocation of funds under sub. (3). After the department of transportation makes the payment under this subsection, the allocation of funds under sub. (3) shall be reduced proportionately to reflect the amount of the payment.

SECTION 2558. 88.15 of the statutes is repealed.
SECTION 2589. 93.06 (1q) of the statutes is amended to read:

93.06 (1q) MARKETING AGRICULTURAL DEVELOPMENT SERVICES. Provide marketing agricultural development services upon request and charge a fee for those services, but the fee may not exceed the department’s cost of providing those services.

SECTION 2590. 93.135 (1m) (a) of the statutes is amended to read:

93.135 (1m) (a) If an individual who applies for the issuance or renewal of a license, registration, registration certificate or certification specified in sub. (1) does not have a social security number, the department shall require the applicant, as a condition of issuing or renewing the license, registration, registration certificate or certification, to submit a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The statement shall be in the form prescribed by the department of workforce development children and families.

SECTION 2591. 93.135 (2) of the statutes is amended to read:

93.135 (2) The department of agriculture, trade and consumer protection may not disclose any information received under sub. (1) to any person except to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

SECTION 2592. 93.135 (3) of the statutes is amended to read:

93.135 (3) The department shall deny an application for the issuance or renewal of a license, registration, registration certificate or certification specified in sub. (1) or shall suspend or restrict a license, registration, registration certificate or certification specified in sub. (1) for failure to make court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or a former spouse or failure to comply, after
appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings, as required in a memorandum of understanding under s. 49.857.

**SECTION 2592g.** 93.23 (1) (a) 1. (intro.) of the statutes is amended to read:

93.23 (1) (a) 1. (intro.) To each county, and any organized agricultural society, association, or board in the state that complies with the requirements of this section, 50% of the amount actually paid in net premiums in the junior division 95 percent of the first $8,000 paid in net premiums and 70 percent of all net premiums paid in excess of $8,000 at its annual fair upon livestock, articles of production, educational exhibits, agricultural implements and tools, domestic manufactures, mechanical implements, and productions, but not more than $10,000 per fair, subject to all of the following:

**SECTION 2593p.** 93.45 of the statutes is created to read:

93.45 **Buy local, buy Wisconsin.** The department shall conduct a program to increase awareness and consumption of locally produced foods and related products and to increase the production and improve the distribution of foods and related products for local consumption. In the program, the department shall emphasize the development of regional food and cultural tourism trails and the development of regional food systems through activities such as creating or expanding facilities for the processing and distribution of food for local consumption; creating or supporting networks of producers; and strengthening connections between producers, retailers, institutions, and consumers and nearby producers.

**SECTION 2594c.** 93.48 of the statutes is created to read:
93.48 Buy local grant program. (1) The department may award grants from
the appropriation under s. 20.115 (4) (am) to individuals or organizations to fund
projects that are designed to increase the sale of agricultural products grown in this
state that are purchased in close proximity to where they are produced. The
department shall promulgate rules for the program under this section.

(2) The department may make grants under this section for any of the following
purposes:
(a) To create, promote, and support regional food and cultural tourism trails.
(b) To promote the development of regional food systems through activities
such as creating or expanding facilities for the processing and distribution of food for
local consumption; creating or supporting networks of producers; and strengthening
connections between producers, retailers, institutions, and consumers and nearby
producers.

SECTION 2594g. 93.55 (2) of the statutes is amended to read:
93.55 (2) COLLECTION GRANTS. The department may award a grant to a county
for a chemical and container collection program. A grant under this subsection shall
may not fund all or a part more than 75 percent of the cost of a program. Costs eligible
for funding include the cost of establishing a collection site for chemicals and
chemical containers, the cost of transporting chemical containers to a dealer or
distributor for refill and reuse or to a hazardous waste facility, as defined in s. 291.01
(8), and costs associated with the proper use and handling and disposal or recycling
of chemicals and chemical containers. Grants shall be paid from the appropriation
under s. 20.115 (7) (va).

SECTION 2594i. 93.57 of the statutes is amended to read:
93.57 Household hazardous waste. The department shall administer a grant program to assist municipalities and regional planning commissions in creating and operating local programs for the collection and disposal of household hazardous waste. The department may also provide grants under this section for county, municipal, and regional planning commission programs to collect unwanted prescription drugs. The department may not make a grant under this section in an amount that exceeds 75 percent of the cost of a program. The department shall allocate two-thirds of the funds available from the appropriation account under s. 20.115 (7) (va) in each fiscal year for grants under this section.

SECTION 2594p. 93.60 of the statutes is created to read:

93.60 Grazing lands conservation grant. The department shall award a grant in each fiscal year, from the appropriation account under s. 20.115 (4) (s), for technical education and research under the Wisconsin grazing lands conservation initiative.

SECTION 2595. 93.75 of the statutes is repealed.

SECTION 2595n. 94.64 (3r) (b) of the statutes is amended to read:

94.64 (3r) (b) Beginning with the license year that begins on August 15, 2007, a person applying for a license under sub. (3) shall pay the following agricultural chemical cleanup surcharges, unless the department establishes lower different surcharges under s. 94.73 (15) after the effective date of this paragraph ....

[revisor inserts date]:

1. For each business location and each mobile unit that the applicant uses to manufacture fertilizer in this state, other than a business location or mobile unit that is also licensed under s. 94.685 or 94.703, $20 $14.
2. If the applicant distributes, but does not manufacture, fertilizer in this state, 
$20 $14.

SECTION 2595p. 94.64 (4) (a) 5. of the statutes is amended to read:
94.64 (4) (a) 5. An agricultural chemical cleanup surcharge of 63 44 cents per 
ton on all fertilizer that the person sells or distributes in this state after June 30, 2005 
2007, unless the department establishes a lower different surcharge under s. 94.73 
(15) after the effective date of this subdivision .... [revisor inserts date].

SECTION 2595r. 94.681 (3) (a) of the statutes is amended to read:
94.681 (3) (a) If the applicant sells less than $25,000 of the product during the 
payment period for use in this state, $5 $3.50.

SECTION 2595s. 94.681 (3) (b) of the statutes is amended to read:
94.681 (3) (b) If the applicant sells at least $25,000 but less than $75,000 of that 
product during the payment period for use in this state, $170 $120.

SECTION 2595t. 94.681 (3) (c) of the statutes is amended to read:
94.681 (3) (c) If the applicant sells at least $75,000 of that product during the 
payment period for use in this state, an amount equal to 1.1% 0.75 percent of gross 
revenues from sales of the product during the payment period for use in this state.

SECTION 2595w. 94.685 (3) (a) 2. of the statutes is amended to read:
94.685 (3) (a) 2. An agricultural chemical cleanup surcharge of $40 $28, unless 
the department establishes a lower different surcharge under s. 94.73 (15), except 
that the dealer or distributor need not pay the surcharge for the license years that 
begin on January 1, 1999, and on January 1, 2000 after the effective date of this 
subdivision .... [revisor inserts date].

SECTION 2596. 94.695 of the statutes is repealed.

SECTION 2596e. 94.703 (3) (a) 2. of the statutes is amended to read:
94.703 (3) (a) 2. An agricultural chemical cleanup surcharge of $55 $38, unless the department establishes a lower different surcharge under s. 94.73 (15), except that the person need not pay the surcharge for the license years that begin on January 1, 1999, and on January 1, 2000 after the effective date of this subdivision .... [revisor inserts date].

**SECTION 2596g.** 94.704 (3) (a) 2. of the statutes is amended to read:

94.704 (3) (a) 2. An agricultural chemical cleanup surcharge of $20 $14, unless the department establishes a lower different surcharge under s. 94.73 (15), except that the person need not pay the surcharge for the license years that begin on January 1, 1999, and on January 1, 2000 after the effective date of this subdivision .... [revisor inserts date].

**SECTION 2597.** 94.73 (2) (c) of the statutes is amended to read:

94.73 (2) (c) The department may issue an order under par. (a) on a summary basis without prior notice or a prior hearing if the department determines that a summary order is necessary to prevent imminent harm to public health or safety or to the environment. If the recipient of a summary order requests a hearing on that order, the department shall hold a hearing within 10 days after it receives the request unless the recipient agrees to a later hearing date. The department is not required to stay enforcement of a summary order issued under this paragraph pending the outcome of the hearing. If the responsible person prevails after a hearing, the department shall reimburse the responsible person from the appropriation under s. 20.115 (7) (e) or (wm) for the corrective action costs incurred as the result of the department’s order.

**SECTION 2598.** 94.73 (7) (a) of the statutes is amended to read:
94.73 (7) (a) The department may make payments to a responsible person who is eligible for reimbursement under sub. (3) if the department has authorized reimbursement to that person under sub. (6). The department shall make payment from the appropriation accounts under s. 20.115 (7) (e) and (wm), subject to the availability of funds in those appropriation accounts. If there are insufficient funds to pay the full amounts authorized under sub. (6) to all eligible responsible persons, the department shall distribute payments in the order in which applications were received, unless the department specifies, by rule, a different order of payment.

SECTION 2598e. 94.73 (15) (a) of the statutes is amended to read:

94.73 (15) (a) Subject to par. (am), the department may, by rule, reduce modify any of the surcharges in ss. 94.64 (3r) (b) and (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703 (3) (a) 2., and 94.704 (3) (a) 2. below the amounts specified in those provisions. The department shall adjust surcharge amounts as necessary to maintain a balance in the agricultural chemical cleanup fund at the end of each fiscal year of not more than $2,500,000, but may not increase a surcharge amount over the amount specified in s. 94.64 (3r) (b) or (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703 (3) (a) 2., or 94.704 (3) (a) 2.

SECTION 2598f. 94.73 (15) (am) of the statutes is created to read:

94.73 (15) (am) The department may not increase a surcharge above the following amount:

1. Under s. 94.64 (3r) (b) 1. and 2., $20.
2. Under s. 94.64 (4) (a) 5., 63 cents per ton.
3. Under s. 94.681 (3) (a), $5.
4. Under s. 94.681 (3) (b), $170.
5. Under s. 94.681 (3) (c), 1.1 percent of gross revenues.

6. Under s. 94.685 (3) (a) 2., $40.

7. Under s. 94.703 (3) (a) 2., $55.

8. Under s. 94.704 (3) (a) 2., $20.

SECTION 2599. 94.74 of the statutes is created to read:

94.74 **Prevention of pollution from agricultural chemicals.** (1) In this section, “agricultural chemical” has the meaning given in s. 94.73 (1) (a).

(2) The department may provide financial assistance to a business to pay not more than 50 percent of the costs of capital improvements designed to prevent pollution from agricultural chemicals. Under this section, the department may not provide funding for capital improvements at any site in an amount that exceeds $500,000 less any amount received under s. 94.73 for the site. The department may not expend more than $250,000 per fiscal year under this section.

(3) The department shall promulgate rules for determining eligible businesses, eligible projects, and allowable costs for financial assistance under this section.

SECTION 2608. 101.01 (4) of the statutes is amended to read:

101.01 (4) “Employer” means any person, firm, corporation, state, county, town, city, village, school district, sewer district, drainage district, family long-term care district and other public or quasi-public corporations as well as any agent, manager, representative or other person having control or custody of any employment, place of employment or of any employee.

SECTION 2609. 101.02 (20) (e) 1. of the statutes is amended to read:

101.02 (20) (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license shall submit a statement made or subscribed under oath or affirmation to
the department of commerce that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families.

SECTION 2610. 101.02 (21) (b) of the statutes is amended to read:

101.02 (21) (b) As provided in the memorandum of understanding under s. 49.857 and except as provided in par. (e), the department of commerce may not issue or renew a license unless the applicant provides the department of commerce with his or her social security number. The department of commerce may not disclose the social security number except that the department of commerce may disclose the social security number of an applicant for a license under par. (a) or a renewal of a license under par. (a) to the department of workforce development children and families for the sole purpose of administering s. 49.22.

SECTION 2611. 101.02 (21) (c) of the statutes is amended to read:

101.02 (21) (c) As provided in the memorandum of understanding under s. 49.857, the department may not issue or renew a license if the applicant or licensee is delinquent in making court−ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or if the applicant or licensee fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings.

SECTION 2612. 101.02 (21) (d) of the statutes is amended to read:

101.02 (21) (d) As provided in the memorandum of understanding under s. 49.857, the department shall restrict or suspend a license issued by the department if the licensee is delinquent in making court−ordered payments of child or family...
support, maintenance, birth expenses, medical expenses or other expenses related
to the support of a child or former spouse or if the licensee fails to comply, after
appropriate notice, with a subpoena or warrant issued by the department of
workforce development children and families or a county child support agency under
s. 59.53 (5) and relating to paternity or child support proceedings.

SECTION 2613. 101.02 (21) (e) 1. of the statutes is amended to read:

101.02 (21) (e) 1. If an applicant who is an individual does not have a social
security number, the applicant, as a condition of applying for or applying to renew
a license shall submit a statement made or subscribed under oath or affirmation to
the department of commerce that the applicant does not have a social security
number. The form of the statement shall be prescribed by the department of
workforce development children and families.

SECTION 2614. 101.09 (5) of the statutes is amended to read:

101.09 (5) PENALTIES. Any person who violates this section or any rule or order
adopted under this section shall forfeit not less than $10 nor more than $1,000 $5,000
for each violation. Each violation of this section or any rule or order under this
section constitutes a separate offense and each day of continued violation is a
separate offense.

SECTION 2616c. 101.143 (2) (m) of the statutes is created to read:

101.143 (2) (m) At the request of an owner or operator or person owning a home
oil tank system or on its own initiative, the department of natural resources or, if the
site is covered under s. 101.144 (2) (b), the department of commerce may determine
whether no further remedial action is necessary with respect to a petroleum product
discharge from a petroleum product storage system or home oil tank system and may
notify the owner or operator or person of the results of its determination.
SECTION 2616e. 101.143 (3) (a) (intro.) of the statutes is amended to read:

101.143 (3) (a) Who may submit a claim. (intro.) Subject to pars. (ab), (ac), (ae), (ah), (am) and (ap), an owner or operator or a person owning a home oil tank system may submit a claim to the department for an award under sub. (4) to reimburse the owner or operator or the person for the eligible costs under sub. (4) (b) that the owner or operator or the person incurs because of a petroleum products discharge from a petroleum product storage system or home oil tank system if all of the following apply:

SECTION 2616g. 101.143 (3) (ab) of the statutes is created to read:

101.143 (3) (ab) Deadline for notifying department. An owner or operator or person owning a home oil tank system is not eligible for an award under this section for costs incurred because of a petroleum product discharge if the owner or operator or person does not notify the department of the discharge under par. (a) 3. before January 1, 2009.

SECTION 2616i. 101.143 (3) (ac) of the statutes is created to read:

101.143 (3) (ac) Deadline for beginning investigation. An owner or operator or person owning a home oil tank system is not eligible for an award under this section for costs incurred because of a petroleum product discharge if the owner or operator or person does not begin a site investigation or remedial action related to the discharge before December 30, 2009.

SECTION 2622e. 101.143 (4) (b) (intro.) of the statutes is amended to read:

101.143 (4) (b) Eligible costs. (intro.) Except as provided in par. (c) or (cc), or (cd), eligible costs for an award under par. (a) include actual costs or, if the department establishes a usual and customary cost under par. (cm) for an item, usual and customary costs for the following items:
**SECTION 2622j.** 101.143 (4) (c) 13. of the statutes is created to read:

101.143 (4) (c) 13. Costs that are incurred because of a petroleum product discharge after the applicant received written notification from the department of natural resources or the department of commerce that no further remedial action is necessary with respect to the discharge.

**SECTION 2622L.** 101.143 (4) (c) 14. of the statutes is created to read:

101.143 (4) (c) 14. Costs that are incurred because of a petroleum product discharge for which the claimant does not submit a claim under sub. (3) (a) within 365 days after receiving written notification from the department of natural resources or the department of commerce that no further remedial action is necessary with respect to the discharge.

**SECTION 2622p.** 101.143 (4) (cd) of the statutes is created to read:

101.143 (4) (cd) **Prohibition on reimbursement due to delay in submitting claim.**

1. If at the end of the month in which the effective date of this subdivision .... [revisor inserts date], falls, an applicant has incurred at least $50,000 in eligible costs for which the applicant has not submitted a claim and the applicant does not submit a claim for those costs by the first day of the 13th month beginning after the effective date of this subdivision .... [revisor inserts date], the department may not reimburse the claimant for those costs.

2. If an applicant does not submit a claim for eligible costs by the first day of the 13th month beginning after the month in which the eligible costs first exceed $50,000 and the month in which the eligible costs first exceed $50,000 begins after the effective date of this subdivision .... [revisor inserts date], the department may not reimburse the claimant for those costs.

**SECTION 2628.** 101.143 (9m) (e) of the statutes is amended to read:
101.143 (9m) (e) The department shall have all other powers necessary and convenient to distribute the special fund revenues and to distribute the proceeds of the revenue obligations in accordance with subch. II of ch. 18 and, if designated a higher education bond, in accordance with subch. IV of ch. 18, and to make payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under this subsection.

SECTION 2629. 101.143 (9m) (g) 2. of the statutes is amended to read:

101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not exceed $436,000,000 $386,924,000 in principal amount, excluding any obligations that have been defeased under a cash optimization program administered by the building commission. In addition to this limit on principal amount, the building commission may contract revenue obligations under this subsection as the building commission determines is desirable to fund or refund outstanding revenue obligations, to pay issuance or administrative expenses, to make deposits to reserve funds, or to pay accrued or capitalized interest, and to make payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under this subsection.

SECTION 2630. 101.143 (10) (a) of the statutes is amended to read:

101.143 (10) (a) Any owner or operator, person owning a home oil tank system or service provider who fails to maintain a record as required by rules promulgated under sub. (9) (a) may be required to forfeit not more than $2,000 $5,000. Each day of continued violation constitutes a separate offense.

SECTION 2634b. 101.177 (1) (d) of the statutes is amended to read:

101.177 (1) (d) “State agency” means any office, department, agency, institution of higher education, association, society, or other body in state
government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, the Wisconsin Housing and Economic Development Authority, the Bradley Center Sports and Entertainment Corporation, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, and the Wisconsin Health and Educational Facilities Authority, but excluding the Health Insurance Risk-Sharing Plan Authority and the Lower Fox River Remediation Authority.

**SECTION 2634e.** 101.31 of the statutes is created to read:

101.31 **Construction career academy grant program.** (1) The department shall award grants to eligible organizations that operate a construction career academy that provides high school pupils with training in construction–related careers.

(2) An organization is eligible for a grant under this section if it proposes to operate a construction career academy that meets the following minimum criteria:

(a) It has established a partnership between a school board operating a high school, or a local business or sponsoring organization, and a technical college district board or baccalaureate degree granting institution in which the partners have committed to participate in the operation of the construction career academy for a minimum of 3 years.

(b) It provides high school pupils with the opportunity to receive up to 3 years of training in construction–related careers.

(c) It incorporates industry concepts into core academic areas.

(d) It incorporates into its curriculum work experience in construction–related industries.
(e) It coordinates classroom credits with a technical college district or with a baccalaureate degree granting institution.

(f) It uses a learning community curriculum approved by the department in consultation with the department of public instruction.

(g) It awards a certificate of recognition to each pupil who successfully completes the construction career academy’s plan of study.

(3) The recipient of a grant under this section shall provide matching funds equal to 50 percent of the grant amount awarded to the recipient.

(4) The recipient of a grant under this section may use the grant funds only for the following purposes:

(a) To purchase materials and equipment, fund field trips, and make improvements to facilities, or for other specific needs relating to the construction career academy.

(b) For developing a core curriculum, for professional development, or for other administrative needs of the recipient.

(5) (a) The department may award a grant for the purposes described under sub. (4) (a) in an amount that equals not more than $900 for each pupil enrolled in the construction career academy at the time that the award is granted.

(b) The department may award a grant for the purposes described under sub. (4) (b) in an amount not exceeding $50,000.

(6) The department shall promulgate rules to administer this section.

SECTION 2641b. 101.985 (2) (a) (intro.) of the statutes, as created by 2005 Wisconsin Act 456, is amended to read:

101.985 (2) (a) General licensing. (intro.) Except as provided in pars. (am) to (d), the department shall issue an elevator mechanic's license to each individual who
satisfactorily completes an elevator mechanic’s apprenticeship program that is
approved by the U.S. department of labor or by the department of workforce
development or who satisfies all of the following:

SECTION 2641f. 101.985 (2) (a) 1. of the statutes, as created by 2005 Wisconsin
Act 456, is repealed.

SECTION 2641h. 101.985 (2) (a) 4. of the statutes, as created by 2005 Wisconsin
Act 456, is repealed.

SECTION 2641k. 101.985 (2) (am) of the statutes, as created by 2005 Wisconsin
Act 456, is amended to read:

101.985 (2) (am) Requirements for individuals with prior experience. The
department shall promulgate rules that establish requirements for issuing an
elevator mechanic’s license to individuals who have performed work described under s. 101.984 (2) (a) or (b) within the scope of their employment before June 1, 2007, but who do not satisfy all of the criteria specified in par. (a) 1. to 4 the requirements under par. (a) to be issued a license. The rules may contain a deadline before which an individual must apply for a license issued under this paragraph.

SECTION 2641m. 101.985 (2) (b) of the statutes, as created by 2005 Wisconsin
Act 456, is amended to read:

101.985 (2) (b) Licensing out-of-state mechanics. The requirements under par.
(a) 1. to 4. do not apply to an individual who is licensed as an elevator mechanic under the laws of another state, if, in the opinion of the department, that state’s regulation of elevator mechanics is substantially the same as this state’s. The department may summarily issue an elevator mechanic’s license to such an individual.
SECTION 2641p. 101.985 (2) (c) of the statutes, as created by 2005 Wisconsin Act 456, is amended to read:

101.985 (2) (c) Emergency licensing. If the governor declares that a state of emergency exists in this state under s. 166.03 (1) (b) 1. and the department determines that the number of individuals in the state who hold elevator mechanic's licenses issued by the department under this section on the date of the declaration is insufficient to cope with the emergency, the department shall summarily issue an emergency elevator mechanic's license to any individual who is certified by an elevator contractor licensed under this subchapter as adequately qualified and able to perform the work of an elevator mechanic without direct and immediate supervision, who the department determines is so qualified and able, and who applies for an emergency elevator mechanic's license on a form prescribed by the department. An individual certified by a contractor under this subdivision may perform work as an elevator mechanic for up to a total of 5 days preceding the date the individual is issued the license. An emergency elevator mechanic's license has a term of 30 days and may be renewed by the department in the case of a continuing emergency. The department shall specify on an emergency elevator mechanic's license the geographic area in which the licensee may provide services under the license. The requirements under par. (a) 1. to 4. do not apply to an individual who applies for an emergency elevator mechanic's license.

SECTION 2641r. 101.985 (2) (d) of the statutes, as created by 2005 Wisconsin Act 456, is amended to read:

101.985 (2) (d) Temporary licensing. If there are no elevator mechanics licensed under this subchapter available to provide services contracted for by an elevator contractor licensed under this subchapter, the elevator contractor may
notify the department and request the issuance of a temporary elevator mechanic’s license to any individual who is certified by the elevator contractor as adequately qualified and able to perform the work of an elevator mechanic without direct and immediate supervision and who applies for a temporary elevator mechanic’s license on a form prescribed by the department. A temporary elevator mechanic’s license has a term of 30 days and may be renewed by the department in the case of a continuing shortage of licensed elevator mechanics. The department shall specify on a temporary elevator mechanic’s license the elevator contractor in whose employ the licensee must remain to provide services under the temporary elevator mechanic’s license. The requirements under par. (a) 1. to 4. do not apply to an individual who applies for a temporary elevator mechanic’s license.

SECTION 2642. 102.01 (2) (d) of the statutes is amended to read:

102.01 (2) (d) “Municipality” includes a county, city, town, village, school district, sewer district, drainage district and family long-term care district and other public or quasi-public corporations.

SECTION 2643. 102.04 (1) (a) of the statutes is amended to read:

102.04 (1) (a) The state, each county, city, town, village, school district, sewer district, drainage district, family long-term care district and other public or quasi-public corporations therein.

SECTION 2644. 102.27 (2) (a) of the statutes is amended to read:

102.27 (2) (a) A benefit under this chapter is assignable under s. 46.10 (14) (e), 49.345 (14) (e), 301.12 (14) (e), 767.225 (1) (L), 767.513 (3), or 767.75 (1) or (2m).

SECTION 2645. 102.29 (8r) of the statutes is amended to read:

102.29 (8r) No participant in a food stamp employment and training program under s. 49.13 49.79 (9) who, under s. 49.13 (2) (d) 49.79 (9) (a) 5., is provided worker’s
compensation coverage by the department of health and family services or by a Wisconsin works agency, as defined in s. 49.001 (9), or other provider under contract with the department of health and family services or a county department under s. 46.215, 46.22, or 46.23 or tribal governing body to administer the food stamp employment and training program and who makes a claim for compensation under this chapter may make a claim or maintain an action in tort against the employer who provided the employment and training from which the claim arose.

SECTION 2647. 103.001 (6) of the statutes is amended to read:

103.001 (6) “Employer” means any person, firm, corporation, state, county, town, city, village, school district, sewer district, drainage district, family long-term care district and other public or quasi-public corporations as well as any agent, manager, representative or other person having control or custody of any employment, place of employment or of any employee.

SECTION 2648. 103.005 (17) of the statutes is repealed.

SECTION 2649. 103.005 (18) of the statutes is repealed.

SECTION 2650. 106.18 of the statutes is created to read:

106.18 Youth programs in 1st class cities. From the appropriation account under s. 20.445 (1) (fm), the department shall implement and operate youth summer jobs programs in 1st class cities.

SECTION 2650e. 108.05 (2) (f) of the statutes is amended to read:

108.05 (2) (f) The department shall certify such schedule to the revisor of statutes, who legislative reference bureau, which shall when publishing the statutes include the latest such schedule then available.

SECTION 2650r. 108.10 (7) (b) of the statutes is amended to read:
108.10 (7) (b) The department may choose not to appeal and to nonacquiesce in the decision by sending a notice of nonacquiescence to the commission, to the revisor of statutes legislative reference bureau for publication in the Wisconsin administrative register and to the employer before the time expires for seeking a judicial review of the decision under sub. (4). The effect of this action is that, although the decision is binding on the parties to the case, the commission’s conclusions of law, the rationale and construction of statutes in the case are not binding on the department in other cases.

SECTION 2651. 108.20 (2m) of the statutes is amended to read:

108.20 (2m) From the moneys not appropriated under s. 20.445 (1) (ge), (gf), (gg), and (gi) which are received by the administrative account as interest and penalties under this chapter, the department shall pay the benefits chargeable to the administrative account under s. 108.07 (5) and the interest payable to employers under s. 108.17 (3m), and may expend the remainder to pay interest due on advances to the unemployment reserve fund from the federal unemployment account under title XII of the social security act, 42 USC 1321 to 1324, may to conduct research relating to the condition of the unemployment reserve fund under s. 108.14 (6), to administer the unemployment insurance program and federal or state unemployment insurance programs authorized by the governor under s. 16.54, to assist the department of justice in the enforcement of this chapter, to make payments to satisfy a federal audit exception concerning a payment from the fund or any federal aid disallowance involving the unemployment insurance program, or may to make payments to the fund if such action is necessary to obtain a lower interest rate or deferral of interest payments on advances from the federal unemployment account under title XII of the social security act, except that any interest earned pending
Section 2651. 20.445 (1) (n) shall be credited to the general fund. Any moneys reverting to the administrative account from the appropriations under s. 20.445 (1) (ge) and (gf) shall be utilized as provided in this subsection.

Section 2665. 111.70 (1) (j) of the statutes is amended to read:

111.70 (1) (j) "Municipal employer" means any city, county, village, town, metropolitan sewerage district, school district, family long-term care district, or any other political subdivision of the state, or instrumentality of one or more political subdivisions of the state, that engages the services of an employee and includes any person acting on behalf of a municipal employer within the scope of the person's authority, express or implied, but specifically does not include a local cultural arts district created under subch. V of ch. 229.

Section 2680c. 111.91 (2) (n) of the statutes is amended to read:

111.91 (2) (n) The provision to employees of the health insurance coverage required under s. 632.895 (11) to (14).

Section 2682. 114.33 (10) of the statutes is amended to read:

114.33 (10) Subject to the approval of the governor under this subsection, the secretary may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the secretary when the secretary determines that the property is no longer necessary for the state's use for airport purposes and, if real property, the real property is not the subject of a petition under s. 560.9810. The secretary shall present to the governor a full and complete report of the property to be sold, the reason for the sale, and the minimum price for which the property should be sold, together with an application for the governor's approval of the sale. The governor shall investigate the proposed sale as he or she deems necessary and
approve or disapprove the application. Upon approval and receipt of the full purchase price, the secretary shall by appropriate deed or other instrument transfer the property to the purchaser. The funds derived from the sale shall be deposited in the appropriate airport fund, and the expense incurred by the secretary in connection with the sale shall be paid from that fund. This subsection does not apply to real property that is sold under s. 16.848.

SECTION 2683. 115.28 (23) (d) of the statutes is amended to read:

115.28 (23) (d) The minority group pupil precollege scholarship program under s. 115.43.

SECTION 2684. 115.28 (46) of the statutes is created to read:

115.28 (46) GRANTS FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS PROGRAMS. From the appropriation under s. 20.255 (2) (fz), award grants to school districts to develop innovative instructional programs in science, technology, engineering and mathematics; support pupils who are typically under-represented in these subjects; and increase the academic achievement of pupils in those subjects.

SECTION 2684m. 115.28 (47) of the statutes is created to read:

115.28 (47) GRANTS FOR NURSING SERVICES. From the appropriation under s. 20.255 (2) (dL), annually award grants to school districts, other than the school district operating under ch. 119, to employ additional school nurses or contract for additional nursing services. The state superintendent shall award grants to those school districts that demonstrate the greatest need for such services based upon criteria such as the ratio of pupils to nurses, the rate of chronic health problems among pupils, and the number of pupils from low-income families. A school district receiving a grant may not use the money to supplant existing nursing staff or services. Each school district receiving a grant shall submit a report to the
department describing how the school district used the money and its effectiveness
in providing additional nursing services to pupils who need such services.

SECTION 2685. 115.315 of the statutes is amended to read:

115.315 Memorandum of understanding; license restriction and
suspension. As provided in the memorandum of understanding under s. 49.857, the
department shall restrict or suspend a license or permit granted by the department
if the licensee or permit holder is delinquent in making court−ordered payments of
child or family support, maintenance, birth expenses, medical expenses or other
expenses related to the support of a child or former spouse or if the licensee or permit
holder fails to comply, after appropriate notice, with a subpoena or warrant issued
by the department of workforce development children and families or a county child
support agency under s. 59.53 (5) and related to paternity or child support
proceedings.

SECTION 2686. 115.341 (1) of the statutes is amended to read:

115.341 (1) From the appropriation under s. 20.255 (2) (cm), the state
superintendent shall reimburse each school board 10 15 cents for each breakfast
served at a school that meets the requirements of 7 CFR 220.8 or 220.8a, whichever
is applicable, and shall reimburse each governing body of a private school 10 15 cents
for each breakfast served at the private school that meets the requirements of 7 CFR
220.8 or 220.8a, whichever is applicable.

SECTION 2687. 115.347 (1) of the statutes is amended to read:

115.347 (1) Beginning in the 1994−95 school year, a school board may submit
enrollment data to the department of workforce development children and families
for the purpose of directly certifying children as eligible for free or reduced−price
meals under the federal school nutrition programs. The department of workforce development children and families shall prescribe a format for the report.

**SECTION 2688.** 115.347 (2) of the statutes is amended to read:

115.347 (2) Whenever a school district that is located in whole or in part in a county that has converted to the client assistance for reemployment and economic support data system submits a report under sub. (1) in the prescribed format, the department of workforce development children and families shall determine which children enrolled in the school district are members of Wisconsin works Works groups participating under s. 49.147 (3) to (5) or of families receiving aid to families with dependent children or food stamps and shall provide the information to the school board as soon thereafter as possible. The school board shall use the information to directly certify children as eligible for free or reduced-price meals served by the school district under federal school nutrition programs, pursuant to 42 USC 1758 (b) (2) (C) (ii) and (iii).

**SECTION 2689.** 115.347 (3) of the statutes is amended to read:

115.347 (3) The state superintendent shall assist school boards in developing a method for submitting enrollment data to the department of workforce development children and families under sub. (1).

**SECTION 2690.** 115.365 (2) (intro.) of the statutes is amended to read:

115.365 (2) (intro.) The department, in conjunction with the department of health and family services and the department of children and families, shall:

**SECTION 2691.** 115.368 (2) (intro.) of the statutes is amended to read:

115.368 (2) (intro.) The department, in conjunction with the department of health and family services and the department of children and families, and after
consulting with established organizations providing services with a focus on children of risk, shall:

SECTION 2692. 115.395 of the statutes is created to read:

115.395 Grants for improving pupil academic achievement. (1) In this section, “board” means the board of school directors in charge of the school district operating under ch. 119.

(2) Beginning in the 2008–09 school year, the board may apply to the department of administration for an annual grant of up to $10,000,000 to implement initiatives to improve pupil academic achievement in all grades, such as employing licensed teachers to tutor pupils who are struggling academically, or employing persons to coordinate the district’s instructional programs and provide ongoing professional development for teachers. The board shall submit with its application a plan for the department of administration’s approval describing the initiatives for which the grant will be used, describing the research showing that the initiatives have a positive effect on pupil academic achievement, and including criteria for evaluating the effectiveness of the initiatives, such as high school graduation rates or the results of the statewide pupil assessments under ch. 118.30.

(3) The department of administration may approve the plan submitted under sub. (2) in whole or in part. If the department approves a plan in part, the board may submit an additional plan for the same school year and the department may award the board all or part of the balance of grant funds.

(4) Upon receipt of a notice from the department of administration that a plan has been approved under sub. (3), the state superintendent shall pay to the board, from the appropriation under s. 20.255 (2) (df), the amount specified by the department of administration.
1  **SECTION 2693.** 115.42 (title) of the statutes is amended to read:

2  **115.42 (title) National Grants for national teacher certification or master educator licensure.**

3  **SECTION 2694.** 115.42 (1) (a) 1. of the statutes is amended to read:

4  115.42 (1) (a) 1. The person is certified by the National Board for Professional Teaching Standards or licensed by the department as a master educator under s. PI 34.19, Wis. Adm. Code.

5  **SECTION 2697.** 115.42 (1) (b) of the statutes is amended to read:

6  115.42 (1) (b) The grant under this subsection shall be an amount equal to the costs of obtaining certification or licensure under par. (a) 1. that are borne by the person, not to exceed $2,000. The department shall award the grant under this subsection in the first school year in which the person meets the requirements under par. (a).

7  **SECTION 2698.** 115.42 (2) (a) (intro.) of the statutes is amended to read:

8  115.42 (2) (a) (intro.) The Except as provided in par. (c), the department shall award 9 grants of $2,500 each to each person who received a grant under sub. (1) if the person satisfies all of the following requirements:

9  **SECTION 2699.** 115.42 (2) (a) 1. of the statutes is amended to read:

10  115.42 (2) (a) 1. The person maintains his or her certification by the National Board for Professional Teaching Standards national teacher certificate or master educator license.

11  **SECTION 2700.** 115.42 (2) (a) 2. of the statutes is amended to read:

12  115.42 (2) (a) 2. The person maintains his or her license as a teacher issued by the state superintendent or remains employed in a private school located in this state.
SECTION 2702. 115.42 (2) (c) of the statutes is created to read:

115.42 (2) (c) The amount of each grant under par. (a) shall be $5,000 in any school year in which the recipient is employed in a school in which at least 60 percent of the pupils enrolled are eligible for a free or reduced-price lunch under 42 USC 1758 (6).

SECTION 2705. 115.43 (title) of the statutes is amended to read:

115.43 (title) Minority group pupil Precollege scholarships.

SECTION 2706. 115.43 (1) of the statutes is amended to read:

115.43 (1) Definition. In this section, “minority group economically disadvantaged pupil” means a pupil who is Black or African American, Hispanic, American Indian, an Alaskan native, or a person of Asian or Pacific Island origin eligible for a free or reduced-price lunch under 42 USC 1758 (b).

SECTION 2707. 115.43 (2) (a) of the statutes is amended to read:

115.43 (2) (a) Annually set goals relating to increasing the percentages of minority group economically disadvantaged pupils who graduate from high school and are prepared for postsecondary school education.

SECTION 2708. 115.43 (2) (b) of the statutes is amended to read:

115.43 (2) (b) From the appropriation under s. 20.255 (3) (fz), award precollege scholarships, on a competitive basis, to minority group economically disadvantaged pupils who enroll in a technical college or in college or university classes or programs designed to improve academic skills that are essential for success in postsecondary school education. The state superintendent shall give preference to minority group economically disadvantaged pupils who are inadequately represented in the technical college and University of Wisconsin Systems.

SECTION 2708m. 115.436 of the statutes is created to read:
115.436 Sparsity aid. (1) In this section, “membership” has the meaning given in s. 121.004 (5).

(2) A school district is eligible for sparsity aid under this section if it satisfies all of the following criteria:

(a) The school district’s membership in the previous school year was no more than 725.

(b) At least 20 percent of the school district’s membership in the previous school year was eligible for a free or reduced-price lunch under 42 USC 1758 (b).

(c) The school district’s membership in the previous school year divided by the school district’s area in square miles is less than 10.

(3) (a) Beginning in the 2008–09 school year, the department shall pay to each school district eligible for sparsity aid the following amount from the appropriation under s. 20.255 (2) (ae), subject to par. (b):

1. If less than 50 percent of the school district’s membership in the previous school year was eligible for a free or reduced-price lunch under 42 USC 1758 (b), $150 multiplied by the membership in the previous school year.

2. If 50 percent or more of the school district’s membership in the previous school year was eligible for a free or reduced-price lunch under 42 USC 1758 (b), $300 multiplied by the membership in the previous school year.

(b) If the appropriation under s. 20.255 (2) (ae) in any fiscal year is insufficient to pay the full amount under par. (a), the department shall prorate the payments among the eligible school districts.

SECTION 2709. 115.445 of the statutes is created to read:
115.445 Four-year-old kindergarten grants. (1) A school board may apply to the department for a 2-year grant under this section to implement a 4-year-old kindergarten program.

(2) (a) In the first school year of a grant awarded under this section, the department shall pay the school board up to $3,000 for each 4-year-old kindergarten pupil enrolled in the school district. In the succeeding school year, the department shall pay the school board up to $1,500 for each 4-year-old kindergarten pupil enrolled in the school district.

(b) The department shall award grants under this section beginning in the 2008-09 school year and shall give preference in awarding grants to school boards that use community approaches to early education, as defined by the department by rule. If the funds in the appropriation under s. 20.255 (2) (dp) are insufficient to pay all eligible school boards, the department shall prorate the payments.

(3) The department shall promulgate rules to implement this section.

SECTION 2710e. 115.53 (3) (a) of the statutes is amended to read:

115.53 (3) (a) Arrange for otological or ophthalmic examination of any pupil or prospective pupil of the Wisconsin Educational Services Program for the Deaf and Hard of Hearing. The examination shall be paid for from the appropriation in s. 20.255 (1) (b), (gh) or (gs).

SECTION 2710m. 115.53 (3) (b) of the statutes is amended to read:

115.53 (3) (b) Arrange for ophthalmic or otological examination of any pupil or prospective pupil of the school operated by the Wisconsin Center for the Blind and Visually Impaired. The examination shall be paid from the appropriation in s. 20.255 (1) (b), (gh), (gL) or (gs).

SECTION 2710s. 115.53 (4) of the statutes is repealed.
SECTION 2711. 115.812 (1) of the statutes is amended to read:

115.812 (1) PLACEMENT DISPUTES. If a dispute arises between a local educational agency and the department of health and family services children and families, the department of corrections, or a county department under s. 46.215, 46.22, or 46.23, or between local educational agencies under s. 115.81 (4) (c), over the placement of a child, the state superintendent shall resolve the dispute. This subsection applies only to placements in nonresidential educational programs made under s. 48.57 (1) (c) and to placements in Residential Care Centers made under s. 115.81.

SECTION 2711d. 115.881 (4) of the statutes is created to read:

115.881 (4) A school district receiving aid under s. 115.883 in any school year is not eligible for aid under this section in that school year.

SECTION 2711e. 115.883 of the statutes is created to read:

115.883 Supplemental special education aid. (1) Beginning in the 2008–09 school year, from the appropriation under s. 20.255 (2) (be), the department shall pay supplemental special education aid to school districts to which all of the following apply:

(a) In the previous school year, the school district’s revenue authority per pupil under subch. VII of ch. 121 was below the statewide average.

(b) In the previous school year, the school district’s expenditures for special education constituted more than 16 percent of the school district’s total expenditures.

(c) In the previous school year, the school district’s membership, as defined in s. 121.004 (5), was less than 2,000 pupils.

(2) In the 2008–09 school year, the department shall pay each school district eligible for aid under this section the same amount. In each school year thereafter,
the department shall distribute aid under this section to eligible school districts proportionally based upon each school district’s expenditures for special education in the previous school year, except that in any school year a school district may receive not less than $50,000, and not more than $150,000 or an amount equal to 50 percent of the school district’s expenditures for special education in the previous school year, whichever is less.

(3) A school district receiving aid under s. 115.881 in any school year is not eligible for aid under this section in that school year.

SECTION 2712. 118.125 (2) (i) of the statutes is amended to read:

118.125 (2) (i) Upon request, the school district clerk or his or her designee shall provide the names of pupils who have withdrawn from the public school prior to graduation under s. 118.15 (1) (c) to the technical college district board in which the public school is located or, for verification of eligibility for public assistance under ch. 49, to the department of health and family services, the department of workforce development children and families, or a county department under s. 46.215, 46.22, or 46.23.

SECTION 2715. 118.19 (1r) (a) of the statutes is amended to read:

118.19 (1r) (a) As provided in the memorandum of understanding under s. 49.857, the department of public instruction may not issue or renew a license or permit or revalidate a license that has no expiration date unless the applicant provides the department of public instruction with his or her social security number. The department of public instruction may not disclose the social security number except to the department of workforce development children and families for the sole purpose of administering s. 49.22.

SECTION 2716. 118.19 (1r) (b) of the statutes is amended to read:
118.19 (1r) (b) As provided in the memorandum of understanding under s. 49.857, the department may not issue or renew a license or permit or revalidate a license that has no expiration date if the applicant, licensee or permit holder is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or if the applicant, licensee or permit holder fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings.

SECTION 2717. 118.19 (10) (g) of the statutes is amended to read:

118.19 (10) (g) At the request under s. 49.22 (2m) of the department of workforce development children and families or a county child support agency under s. 59.53 (5), the state superintendent shall release the name and address of the applicant or licensee, the name and address of the applicant’s or licensee’s employer and financial information, if any, related to the applicant or licensee obtained under this subsection to the department of workforce development children and families or the county child support agency.

SECTION 2719m. 118.35 (4) of the statutes is amended to read:

118.35 (4) From the appropriation under s. 20.255 (2) (fy), the department shall award grants to nonprofit organizations, cooperative educational service agencies, and the school district operating under ch. 119 for the purpose of providing advanced curriculum and assessments for gifted and talented middle school pupils.

SECTION 2733. 119.04 (1) of the statutes is amended to read:
119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, and 120.25 are applicable to a 1st class city school district and board.

**SECTION 2734.** 119.23 (2) (a) 8. of the statutes is created to read:

119.23 (2) (a) 8. Annually, the private school pays a nonrefundable fee to the department. A private school that is not participating in the program under this section in the current school year shall pay a fee, determined by the department by rule, with its notice of intent to participate under subd. 3. A private school that is required to comply with sub. (7) (am) shall pay a fee, determined by the department by rule, with the information required by sub. (7) (am). The department shall use all fees collected under this paragraph to evaluate the financial information submitted under sub. (7) (am).

**SECTION 2735.** 119.23 (10) (a) 2. of the statutes is amended to read:

119.23 (10) (a) 2. Failed to provide the notice required under sub. (2) (a) 3., or the information required under sub. (7) (am) or (d), or the fee required under sub. (2) (a) 8. by the date or within the period specified.

**SECTION 2735w.** 119.46 (1) of the statutes is amended to read:

119.46 (1) As part of the budget transmitted annually to the common council under s. 119.16 (8) (b), the board shall report the amount of money required for the
ensuing school year to operate all public schools in the city under this chapter, to
repair and keep in order school buildings and equipment, to make material
improvements to school property and to purchase necessary additions to school sites.
The amount included in the report for the purpose of supporting the Milwaukee
Parental Choice Program under s. 119.23 shall be reduced by the amount of aid
received by the board under s. 121.136. The common council shall levy and collect
a tax upon all the property subject to taxation in the city, which shall be equal to the
amount of money required by the board for the purposes set forth in this subsection,
at the same time and in the same manner as other taxes are levied and collected.
Such taxes shall be in addition to all other taxes which the city is authorized to levy.
The taxes so levied and collected, any other funds provided by law and placed at the
disposal of the city for the same purposes, and the moneys deposited in the school
operations fund under s. 119.60 (1), shall constitute the school operations fund.

SECTION 2736. 120.125 (4) (h) of the statutes is amended to read:

120.125 (4) (h) That the day care provider shall meet the standards for licensed
day care centers established by the department of health and family services
children and families.

SECTION 2737p. 120.13 (2) (g) of the statutes is amended to read:

120.13 (2) (g) Every self−insured plan under par. (b) shall comply with ss.
49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
632.85, 632.853, 632.855, 632.87 (4), (5), and (6), 632.895 (9) to (14) (15), 632.896, and
767.513 (4).

SECTION 2738. 120.13 (14) of the statutes is amended to read:

120.13 (14) DAY CARE PROGRAMS. Establish and provide or contract for the
provision of day care programs for children. The school board may receive federal
or state funds for this purpose. The school board may charge a fee for all or part of
the cost of the service for participation in a day care program established under this
subsection. Costs associated with a day care program under this subsection may not
be included in shared costs under s. 121.07 (6). Day care programs established under
this subsection shall meet the standards for licensed day care centers established by
the department of health and family services children and families. If a school board
proposes to contract for or renew a contract for the provision of a day care program
under this subsection or if on July 1, 1996, a school board is a party to a contract for
the provision of a day care program under this subsection, the school board shall refer
the contractor or proposed contractor to the department of health and family services
children and families for the criminal history and child abuse record search required
under s. 48.685. Each school board shall provide the department of health and family
services with information about each person who is denied a contract for a reason
specified in s. 48.685 (4m) (a) 1. to 5.

SECTION 2744gm. 121.136 of the statutes is created to read:

121.136 State aid for high-poverty school districts. (1) (a) In the 2007–08
and 2008–09 school years, the department shall pay additional state aid to a school
district if at least 50 percent of the district’s enrollment, as rounded to the nearest
whole percentage point and as reported to the department by the school district in
October 2006, as a condition for participation in the federal school lunch program
under 42 USC 1758 (b), was eligible for a free or reduced-price lunch in the federal
school lunch program under 42 USC 1758 (b).

(b) The amount paid to each eligible school district in the 2007–08 and 2008–09
fiscal years shall be determined as follows:
1. Divide the amount appropriated under s. 20.255 (2) (bb) by the total number
of pupils enrolled in all eligible school districts.

2. Multiply the quotient under subd. 1. by the number of pupils enrolled in the
school district.

(2) (a) In the 2009–10 school year and annually thereafter, the department
shall pay additional state aid to a school district if at least 50 percent of the district’s
enrollment on the 3rd Friday of September in the immediately preceding
even-numbered year, as rounded to the nearest whole percentage point, was eligible
for a free or reduced-price lunch in the federal school lunch program under 42 USC
1758 (b).

(b) Except as provided in par. (c), the amount paid to each eligible school district
in the 2009–10 school year and annually thereafter shall be determined as follows:

1. Divide the amount appropriated under s. 20.255 (2) (bb) by the school
district’s enrollment on the 3rd Friday of September in the current school year.

2. Increase the amount determined under subd. 1. by the percentage increase
in the total amount appropriated under s. 20.255 (2) (ac) between the previous school
year and the current school year, but not less than zero.

3. Increase the amount determined under subd. 2. by the percentage increase
in this state’s aggregate personal income between the calendar year beginning in the
2nd previous school year and the calendar year beginning in the previous school year,
but not less than zero.

4. Multiply the amount determined under subd. 3. by the school district’s
enrollment on the 3rd Friday of September in the current school year.

(c) 1. Beginning in the 2009–10 school year, an eligible school district may not
receive under par. (b) less than the amount determined by increasing the amount
received under this section in the previous school year by the percentage increases
specified in par. (b) 2. and 3.

2. Notwithstanding subd. 1., if in any fiscal year the amount appropriated
under s. 20.255 (2) (bb) is insufficient to fully fund aid payments under this
subsection, the department shall prorate payments to eligible school districts.

SECTION 2748. 121.58 (2) (a) 4. of the statutes is amended to read:

121.58 (2) (a) 4. For each pupil so transported whose residence is more than
12 miles from the school attended, $150 $180 per school year in the 2005–06 2006–07
school year and $180 $220 per school year thereafter.

SECTION 2748m. 121.58 (2) (d) of the statutes is created to read:

121.58 (2) (d) In addition to any other payments made under this section, the
department shall allocate $35,000 annually to reimburse school districts for 75
percent of the costs incurred to transport pupils over ice from their residence on an
island to school on the mainland and back to their residence on the island, including
the costs of maintaining and storing equipment. If in any school year the amount to
which school districts are entitled under this paragraph exceeds $35,000, the
department shall prorate the payments among the eligible school districts.

SECTION 2749q. 121.90 (2) (intro.) of the statutes is amended to read:

121.90 (2) (intro.) “State aid” means aid under ss. 121.08, 121.09 and 121.105,
and 121.136 and subch. VI, as calculated for the current school year on October 15
under s. 121.15 (4) and including adjustments made under s. 121.15 (4), and amounts
under s. 79.095 (4) for the current school year, except that “state aid” excludes all of
the following:

SECTION 2749t. 121.90 (2) (c) of the statutes is created to read:
121.90 (2) (c) For the school district operating under ch. 119, aid received under

section 121.136.

**SECTION 2750.** 121.905 (1) of the statutes is amended to read:

121.905 (1) In this section, “revenue ceiling” means $8,100 $8,700 in the
2005–06 2007–08 school year and $8,400 $9,000 in any subsequent school year.

**SECTION 2751.** 121.91 (2m) (e) (intro.) of the statutes is amended to read:

121.91 (2m) (e) (intro.) Except as provided in subs. (3) and (4), no
school district may increase its revenues for the 1999–2000 school year or for any
school year thereafter to an amount that exceeds the amount calculated as follows:

**SECTION 2752.** 121.91 (4) (f) 1. of the statutes is amended to read:

121.91 (4) (f) 1. Except as provided in subd. 1m., for the 1999–2000 2007–08
school year or any school year thereafter, if the average of the number of pupils
enrolled in the current and the 2 preceding school years is less than the average of
the number of pupils enrolled in the 3 previous school years, the limit otherwise
applicable under sub. (2m) (e) is increased by the additional amount that would have
been calculated had the there been no decline in average enrollment been 25% of
what it was.

**SECTION 2753.** 121.91 (4) (f) 1m. b. of the statutes is amended to read:

121.91 (4) (f) 1m. b. For the school year beginning on the first July 1 following
the effective date of the school district reorganization, if the number of pupils
enrolled in that school year is less than the number of pupils enrolled in the previous
school year, the limit otherwise applicable under sub. (2m) (e) is increased by the
additional amount that would have been calculated had the there been no decline in
enrollment been 25 percent of what it was.

**SECTION 2754.** 121.91 (4) (f) 1m. c. of the statutes is amended to read:
121.91 (4) (f) 1m. c. For the school year beginning on the 2nd July 1 following the effective date of the school district reorganization, if the average of the number of pupils enrolled in that school year and the previous school year is less than the average of the number of pupils enrolled in the 2 previous school years, the limit otherwise applicable under sub. (2m) (e) is increased by the additional amount that would have been calculated had there been no decline in average enrollment been 25 percent of what it was.

SECTION 2756m. 121.91 (7) of the statutes is amended to read:

121.91 (7) Except as provided in sub. (4) (f) 2. and (8), if an excess revenue is approved under sub. (3) for a recurring purpose or allowed under sub. (4), the excess revenue shall be included in the base for determining the limit for the next school year for purposes of this section. If an excess revenue is approved under sub. (3) for a nonrecurring purpose, the excess revenue shall not be included in the base for determining the limit for the next school year for purposes of this section.

SECTION 2757. 121.91 (8) of the statutes is created to read:

121.91 (8) If a school district’s initial revenue limit for the current school year, as calculated under s. 121.905 or sub. (2m) (e), whichever is appropriate, before making any adjustments under sub. (3) or (4), is less than the amount determined by multiplying the amount under sub. (2m) (e) 1. by the average of the number of pupils enrolled in the 3 preceding school years, the school district’s initial revenue limit for the current school year, before making any adjustments under sub. (3) or (4), is the amount determined by multiplying the amount under sub. (2m) (e) 1. by the average of the number of pupils enrolled in the 3 preceding school years. Any additional revenue received by a school district as a result of this subsection shall not
be included in the base for determining the school district's limit under sub. (2m) for the following school year.

**SECTION 2757r.** 125.01 of the statutes is amended to read:

125.01 Legislative intent. This chapter shall be construed as an enactment of the legislature’s support for the 3-tier system for alcohol beverages production, distribution, and sale that, through uniform statewide regulation, provides this state regulatory authority over the production, storage, distribution, transportation, sale, and consumption of alcohol beverages by and to its citizens, for the benefit of the public health and welfare and this state’s economic stability. Without the 3-tier system, the effective statewide regulation and collection of state taxes on alcohol beverages sales would be seriously jeopardized. It is further the intent of the legislature that without a specific statutory exception, all sales of alcohol beverages shall occur through the 3-tier system, from manufacturers to licensed wholesalers to retailers to consumers. Face-to-face retail sales at licensed premises directly advance the state’s interest in preventing alcohol sales to underage or intoxicated persons.

**SECTION 2757t.** 125.015 of the statutes is created to read:

125.015 Severability. If any provision or clause of this chapter or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

**SECTION 2757w.** 125.02 (3r) of the statutes is created to read:

125.02 (3r) “Caterer” means any person holding a restaurant permit under s. 254.64 who is in the business of preparing food and transporting it for consumption
on premises where gatherings, meetings, or events are held, if the sale of food at each
gathering, meeting, or event accounts for greater than 50 percent of the gross
receipts of all of the food and beverages served at the gathering, meeting, or event.

**SECTION 2757w.** 125.07 (4) (cm) of the statutes is amended to read:

125.07 (4) (cm) When a court revokes or suspends a person’s operating privilege
under par. (bs) or (c), the department of transportation may not disclose information
concerning or relating to the revocation or suspension to any person other than a
court, district attorney, county corporation counsel, city, village or town attorney, law
enforcement agency, driver licensing agency of another jurisdiction, or the person
whose operating privilege is revoked or suspended. A person entitled to receive
information under this paragraph may not disclose the information to any other
person or agency.

**SECTION 2758.** 125.085 (3) (bp) of the statutes is amended to read:

125.085 (3) (bp) When a court suspends a person’s operating privilege under
par. (bd), the department of transportation may not disclose information concerning
or relating to the suspension to any person other than a court, district attorney,
county corporation counsel, city, village or town attorney, law enforcement agency,
driver licensing agency of another jurisdiction, or the person whose operating
privilege is suspended. A person entitled to receive information under this
paragraph may not disclose the information to any other person or agency.

**SECTION 2759c.** 125.12 (5) of the statutes is amended to read:

125.12 (5) Revocations or suspensions of, or refusals to renew, permits by
the department. The department may, after notice and an opportunity for hearing,
revoke, suspend or refuse to renew any retail permit issued by it for the causes
provided in sub. (4) and any other permit issued by it under this chapter for any
violation of this chapter or ch. 139, except that, for a violation of sub. (4) (ag) 6. with
respect to a license issued under s. 125.51 (4) (v) or a violation of s. 125.535 or
139.035, the department shall revoke the license or permit. A revocation, suspension
or refusal to renew is a contested case under ch. 227.

SECTION 2759ce. 125.26 (2u) of the statutes is created to read:

125.26 (2u) Notwithstanding ss. 125.04 (3) (a) 3. and (9) and 125.09 (1), in
addition to the authorization specified in sub. (1), a Class “B” license issued under
this section to a caterer also authorizes the caterer to provide fermented malt
beverages, including their retail sale, at the National Railroad Museum in Green
Bay during special events held at this museum. Notwithstanding sub. (1), a caterer
may provide fermented malt beverages under this subsection at any location at the
National Railroad Museum even though the National Railroad Museum is not part
of the caterer’s licensed premises, as described under sub. (3) in the caterer’s Class
“B” license, and even if the National Railroad Museum is not located within the
municipality that issued the caterer’s Class “B” license. A caterer that provides
fermented malt beverages under this subsection is subject to s. 125.32 (2) as if the
fermented malt beverages were provided on the caterer’s Class “B” licensed
premises. This subsection does not authorize the National Railroad Museum to sell
fermented malt beverages at retail or to procure or stock fermented malt beverages
for purposes of retail sale. This subsection does not apply if, at any time, the National
Railroad Museum holds a Class “B” license.

SECTION 2759cm. 125.51 (2) (am) of the statutes is created to read:

125.51 (2) (am) In addition to the authorization under par. (a), a “Class A”
license also authorizes the licensee to provide, free of charge, to customers and
visitors who have attained the legal drinking age, taste samples of intoxicating
liquor, other than wine, that are not in original packages or containers and that do not exceed 0.5 fluid ounces each, for consumption on the “Class A” premises. No “Class A” licensee may provide, under this paragraph, more than 3 taste samples per day to any one person. Taste samples may be provided under this paragraph only between the hours of 11 a.m. and 7 p.m. Any other provision of this chapter applicable to retail sales of intoxicating liquor, other than wine, by a “Class A” licensee also applies to the provision of taste samples under this paragraph. No “Class A” license may provide taste samples under this paragraph that the “Class A” licensee did not purchase from a wholesaler. The authorization provided to a “Class A” licensee under this paragraph is in addition to the exception for a “Class A” licensee specified in s. 125.06 (13).

**SECTION 2759cs.** 125.51 (3) (bu) of the statutes is created to read:

125.51 (3) (bu) Notwithstanding ss. 125.04 (3) (a) 3. and (9) and 125.09 (1), in addition to the authorization specified in sub. (1) (a) and in sub. (3) (a) or (b), a “Class B” license issued under sub. (1) to a caterer also authorizes the caterer to provide intoxicating liquor, including its retail sale, at the National Railroad Museum in Green Bay during special events held at this museum. Notwithstanding subs. (1) (a) and (3) (a) and (b), a caterer may provide intoxicating liquor under this paragraph at any location at the National Railroad Museum even though the National Railroad Museum is not part of the caterer’s licensed premises, as described under par. (d) in the caterer’s “Class B” license, and even if the National Railroad Museum is not located within the municipality that issued the caterer’s “Class B” license. A caterer that provides intoxicating liquor under this paragraph is subject to s. 125.68 (2) as if the intoxicating liquor were provided on the caterer’s “Class B” licensed premises. This paragraph does not authorize the National Railroad Museum to sell
intoxicating liquor at retail or to procure or stock intoxicating liquor for purposes of retail sale. This paragraph does not apply if, at any time, the National Railroad Museum holds a “Class B” license.

**SECTION 2759cs.** 125.51 (6) of the statutes is created to read:

125.51 (6) **FACE-TO-FACE RETAIL SALES.** Except as provided in sub. (3) (bm) and (bs) and except with respect to caterers, a retail license issued under this section authorizes only face-to-face sales to consumers at the licensed premises.

**SECTION 2759d.** 125.52 (1) of the statutes is amended to read:

125.52 (1) **AUTHORIZED ACTIVITIES.** The department shall issue manufacturers’ and rectifiers’ permits which authorize the manufacture or rectification, respectively, of intoxicating liquor on the premises covered by the permit. A person holding a manufacturer’s or rectifier’s permit may manufacture, and bottle or wholesale wine, pursuant to the terms of the permit, without procuring a winery permit. A manufacturer’s or rectifier’s permit entitles the permittee to sell intoxicating liquor to wholesaler holding a permit under s. 125.54, and to other manufacturers and rectifiers holding a permit under this section, from the premises described in the permit. Holders of rectifiers’ permits may sell intoxicating liquor rectified by the permittee to retailers without any other permit. No sales may be made for consumption on the premises of the permittee. Possession of a permit under this section does not authorize the permittee to sell tax-free intoxicating liquor and wines brought into this state under s. 139.03 (5).

**SECTION 2759em.** 125.52 (4) of the statutes is created to read:

125.52 (4) **PROVIDING TASTE SAMPLES.** A manufacturer or rectifier, or an individual representing a manufacturer or rectifier, may provide taste samples on “Class A” premises as authorized under s. 125.69 (8).
SECTION 2759f. 125.52 (6) of the statutes is repealed.

SECTION 2759g. 125.52 (8) of the statutes is repealed.

SECTION 2759h. 125.53 (1) of the statutes is amended to read:

125.53 (1) The department shall issue only to a manufacturing winery in this state that holds a valid certificate issued under s. 73.03 (50) a winery permit authorizing the manufacture and bottling of wine on the premises covered by the permit for sale at wholesale to other licensees or permittees or wholesalers holding a permit under s. 125.54. A permittee winery holding a permit under this section may offer on the premises taste samples of wine manufactured on the premises to persons who have attained the legal drinking age. A permittee under this section may also have either a “Class A” or “Class B” license, but not both. If a “Class A” or “Class B” liquor license has also been issued to the winery, the winery may offer the taste samples on the “Class A” or “Class B” premises.

SECTION 2759i. 125.53 (3) of the statutes is repealed.

SECTION 2759j. 125.535 of the statutes is created to read:

125.535 Direct wine shippers’ permits. (1) AUTHORIZED ACTIVITIES. The department shall issue direct wine shippers’ permits authorizing the permittee to ship wine directly to an individual in this state who is of the legal drinking age, who acknowledges receipt of the wine shipped, and who is not intoxicated at the time of delivery.

(2) ANNUAL PERMIT FEE. The department shall charge the following annual fee for each permit issued under this section:

(a) For a permittee that ships more than 90 liters of wine annually to individuals in this state, $100.
(b) For a permittee that ships not less than 27 liters nor more than 90 liters of wine annually to individuals in this state, $50.

(c) For a permittee that ships less than 27 liters of wine annually to individuals in this state, $10.

(3) PERSONS ELIGIBLE. (a) A direct wine shipper’s permit may be issued under this section to any person that manufactures and bottles wine on premises covered by any of the following:

1. A manufacturer’s or rectifier’s permit under s. 125.52.
2. A winery permit under s. 125.53.
3. A winery license, permit, or other authorization issued to the winery by any state from which the winery will ship wine into this state.

(b) A winery located outside of this state is eligible for a direct wine shipper’s permit under par. (a) 3. if all of the following apply:

1. The winery holds a valid business tax registration certificate issued under s. 73.03 (50).
2. The winery submits to the department, with any initial application or renewal for a certificate under s. 73.03 (50) or a permit under par. (a) 3., a copy of any current license, permit, or authorization issued to the winery by the state from which the winery will ship wine into this state.

(c) Notwithstanding s. 125.04 (5) (a), natural persons obtaining direct wine shippers’ permits are not required to be residents of this state. Notwithstanding s. 125.04 (5) (a) 5., a person is not required to complete a responsible beverage server training course to be eligible for a permit under this section. Notwithstanding s. 125.04 (6), corporations or limited liability companies obtaining direct wine shippers’ permits are not required to appoint agents.
(4) Annual report required. A permittee under this section shall submit a report to the department, by January 31 of each year, on forms furnished by the department, providing the identity, quantity, and price of all products shipped to individuals in this state during the previous calendar year, along with the name, address, and birthdate of each person who purchased these products and each person to whom these products were shipped.

(5) Labels. Containers of wine shipped to an individual in this state under this section shall be clearly labeled to indicate that the package may not be delivered to an underage person or to an intoxicated person.

(6) Restrictions. No individual may resell, or use for a commercial purpose, wine received by the individual that is shipped under authority of this section.

(7) Annual limit. No individual in this state may receive more than 108 liters of wine annually shipped under authority of the section. Each individual shall be responsible for compliance with this annual limit. An individual who violates this annual limit is subject to a warning issued by the department for the individual’s first violation and a $500 fine for each violation by the individual that occurs after a warning has been issued by the department. This subsection does not apply to purchases made under a permit issued under s. 125.61.

Section 2759k. 125.54 (1) of the statutes is amended to read:

125.54 (1) Authorized activities. The department shall issue wholesalers’ permits authorizing the permittee to sell intoxicating liquor at wholesale from the premises described in the permit. Except as provided under s. 125.69 (1) (b) 3., the permittee may not sell intoxicating liquor for consumption on the premises. If a wholesale permit is issued to a brewery that holds a “Class B” license, the permit shall authorize the wholesale sale of wine only. Possession of a permit under this
section does not authorize the permittee to sell tax-free intoxicating liquor and wine
brought into this state under s. 139.03 (5).

SECTION 2759kc. 125.54 (4) of the statutes is created to read:

125.54 (4) TASTE SAMPLING PROHIBITED. Wholesalers holding a permit under this
section, employees of such wholesalers, and individuals representing such
wholesalers may not provide or participate in providing taste samples under ss.
125.51 (2) (am) and 125.69 (8).

SECTION 2759kg. 125.55 (1) (intro.) and (a) of the statutes are consolidated,
renumbered 125.55 (1) and amended to read:

125.55 (1) The department may issue the following combination permits: (a)
A combination manufacturer’s and rectifier’s permit.

SECTION 2759kh. 125.55 (1) (b) of the statutes is repealed.

SECTION 2759ki. 125.55 (2) of the statutes is amended to read:

125.55 (2) A combination manufacturer’s and wholesaler’s permit may not be
issued. A combination rectifier’s and wholesaler’s permit may not be issued.

SECTION 2759km. 125.58 (1) of the statutes is amended to read:

125.58 (1) The department shall issue out-of-state shippers’ permits which
authorize persons located outside this state to sell or ship intoxicating liquor into this
state. Except as provided under sub. (4), intoxicating liquor may be shipped into this
state only to a person holding a manufacturer’s, rectifier’s, wholesaler’s, industrial
alcohol or medicinal alcohol permit under s. 125.54 or, if shipped from a
manufacturer or rectifier in another state holding a permit under this section, to a
person holding a manufacturer’s or rectifier’s permit under s. 125.52. Except as
provided under sub. (4), a separate out-of-state shipper’s permit is required for each
location from which any intoxicating liquor is sold or shipped into this state,
including the location from which the invoices are issued for the sales or shipments.

Any person holding an out-of-state shipper’s permit issued under this section may solicit orders for sales or shipments by the permittee without obtaining the sales solicitation permit required by s. 125.65, but every agent, salesperson or other representative who solicits orders for sales or shipments by an out-of-state shipper shall first obtain a permit for soliciting orders under s. 125.65. No holder of an out-of-state shipper’s permit issued under this section may sell intoxicating liquor in this state or ship intoxicating liquor into this state unless the out-of-state shipper is the primary source of supply for that intoxicating liquor.

**SECTION 2759L.** 125.58 (4) (a) (intro.) of the statutes is renumbered 125.58 (4) and amended to read:

125.58 (4) A winery located outside of this state may ship wine into this state as provided under s. 125.68 (10) (bm) if all of the following apply: 125.535 and is not required to hold an out-of-state shipper’s permit under this section.

**SECTION 2759m.** 125.58 (4) (a) 1. to 4. of the statutes are repealed.

**SECTION 2759mm.** 125.58 (4) (b) of the statutes is repealed.

**SECTION 2759n.** 125.68 (10) (a) of the statutes is amended to read:

125.68 (10) (a) Except as provided in par. (bm) s. 125.535, no intoxicating liquor may be shipped into this state unless consigned to a person holding a wholesaler’s permit for the sale of intoxicating liquor, other than a retail “Class B” permit under s. 125.54 or, if shipped from a manufacturer or rectifier in another state holding a permit under s. 125.58, consigned to a person holding a manufacturer’s or rectifier’s permit under s. 125.52.

**SECTION 2759o.** 125.68 (10) (b) of the statutes is amended to read:
125.68 (10) (b) Except as provided in par. (bm) s. 125.535, no common carrier or other person may transport into and deliver within this state any intoxicating liquor unless it is consigned to a person holding a wholesaler’s permit for the sale of intoxicating liquor, other than a retail “Class B” permit under s. 125.54 or, if shipped from a manufacturer or rectifier in another state holding a permit under s. 125.58, consigned to a person holding a manufacturer’s or rectifier’s permit under s. 125.52.

Any common carrier violating this paragraph shall forfeit $100 for each violation.

SECTION 2759p. 125.68 (10) (bm) of the statutes is repealed.

SECTION 2759pg. 125.68 (10) (bs) of the statutes is repealed.

SECTION 2759pr. 125.68 (10) (c) of the statutes is repealed.

SECTION 2759q. 125.69 (1) (a) of the statutes is amended to read:

125.69 (1) (a) No intoxicating liquor manufacturer, rectifier, winery, out-of-state shipper permittee, or wholesaler may hold any direct or indirect interest in any “Class A” license or establishment and no “Class A” licensee may hold any direct or indirect interest in a wholesale permit or establishment, except that a winery that has a permit under s. 125.53 may have an ownership interest in a “Class A” license.

SECTION 2759r. 125.69 (1) (b) 1. of the statutes is amended to read:

125.69 (1) (b) 1. Except as provided under subs. 2. to subd. 4., no intoxicating liquor manufacturer, rectifier, winery, out-of-state shipper permittee, or wholesaler may hold any direct or indirect interest in any “Class B” license or permit or establishment or “Class C” license or establishment and no “Class B” licensee or permittee or “Class C” licensee may hold any direct or indirect interest in a wholesale permit or establishment.

SECTION 2759s. 125.69 (1) (b) 2. and 3. of the statutes are repealed.
SECTION 2759t. 125.69 (1) (c) (intro.) of the statutes is renumbered 125.69 (1) (c) and amended to read:

125.69 (1) (c) No manufacturer, rectifier, winery, or out-of-state shipper permittee, whether located within or without this state, may hold any direct or indirect interest in any wholesale permit or establishment, except as provided in s. 125.53, and except that a manufacturer that is also a brewer may hold a permit issued under s. 125.54 for the wholesale sale of wine only. This paragraph does not prohibit any of the following persons from obtaining a permit under s. 125.65:

Except as provided in s. 125.53, no retail licensee may hold any direct or indirect interest in any manufacturer, rectifier, winery, or out-of-state shipper permittee.

SECTION 2759u. 125.69 (1) (c) 1. to 3. of the statutes are repealed.

SECTION 2759v. 125.69 (4) (c) of the statutes is repealed.

SECTION 2759w. 125.69 (6) (a) of the statutes is amended to read:

125.69 (6) (a) No campus or retail licensee or permittee may purchase or possess intoxicating liquor purchased from any person other than a manufacturer, rectifier or wholesaler holding a permit under this chapter for the sale of intoxicating liquor.

SECTION 2759x. 125.69 (8) of the statutes is created to read:

125.69 (8) PROVIDING TASTE SAMPLES ON “CLASS A” PREMISES. (a) With the consent of the “Class A” licensee, a manufacturer or rectifier may provide, free of charge, on “Class A” premises, taste samples of intoxicating liquor, other than wine, to any person who has attained the legal drinking age, for consumption on the premises during hours in which the “Class A” licensee is authorized under s. 125.51 (2) (am) to provide taste samples. The provision of taste samples under this subsection shall be subject to the same limitations that apply to taste samples provided by a “Class
A" licensee under s. 125.51 (2) (am). No manufacturer or rectifier may provide as taste samples under this subsection any intoxicating liquor that the manufacturer or rectifier did not purchase from the “Class A” licensee on whose premises the taste samples are provided.

(b) 1. A manufacturer or rectifier may provide taste samples under par. (a) through an individual representing the manufacturer or rectifier if all of the following apply:

   a. The individual is hired by the manufacturer or rectifier.
   b. The individual is not employed by, or an agent of, a wholesaler.

2. All provisions of par. (a) that apply to a manufacturer or rectifier apply equally to any individual representing a manufacturer or rectifier.

SECTION 2760. 134.43 (3m) of the statutes is amended to read:

134.43 (3m) Subsections (2) (b), (2m) and (3) do not apply to information regarding the name, address or employer of or financial information related to a subscriber or member of a subscriber’s household that is requested under s. 49.22 (2m) by the department of workforce development, children and families or a county child support agency under s. 59.53 (5).

SECTION 2768e. 138.052 (5) (am) 2. b. of the statutes is amended to read:

138.052 (5) (am) 2. b. Within 5 days after the date on which the determination is made, the division of banking shall calculate the average, rounded to the nearest one-hundredth of a percent, of the rates determined by the division of banking and the office of credit unions and report that interest rate to the revisor of statutes legislative reference bureau within 5 days after the date on which the determination is made.

SECTION 2768r. 138.052 (5) (am) 2. c. of the statutes is amended to read:
138.052 (5) (am) 2. c. The revisor of statutes legislative reference bureau shall publish the average rate in the next publication of the Wisconsin administrative register. The published interest rate shall take effect on the first day of the first month following its publication and shall be the interest rate used to calculate interest on escrow accounts that are subject to this subdivision until the next year’s interest rate is published under this subd. 2. c.

**SECTION 2769.** 138.09 (1m) (b) 2. b. of the statutes is amended to read:

138.09 (1m) (b) 2. b. The division may disclose information under subd. 1. a. to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

**SECTION 2770.** 138.09 (1m) (c) 1. of the statutes is amended to read:

138.09 (1m) (c) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families.

**SECTION 2771.** 138.09 (3) (am) 3. of the statutes is amended to read:

138.09 (3) (am) 3. The applicant fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings.

**SECTION 2772.** 138.09 (4) (b) of the statutes is amended to read:

138.09 (4) (b) The division shall restrict or suspend a license under this section if, in the case of a licensee who is an individual, the licensee fails to comply, after
appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. A licensee whose license is restricted or suspended under this paragraph is entitled to a notice and hearing only as provided in a memorandum of understanding entered into under s. 49.857 and is not entitled to a hearing under par. (a).

**SECTION 2773.** 138.12 (3) (d) 2. b. of the statutes is amended to read:

138.12 (3) (d) 2. b. The division may disclose information under subd. 1. a. to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

**SECTION 2774.** 138.12 (3) (e) 1. of the statutes is amended to read:

138.12 (3) (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families.

**SECTION 2775.** 138.12 (4) (b) 6. of the statutes is amended to read:

138.12 (4) (b) 6. If an individual, has not failed to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53
(5) and related to paternity or child support proceedings and is not delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857.

**SECTION 2775.** 138.12 (5) (am) 1. c. of the statutes is amended to read:

138.12 (5) (am) 1. c. In the case of a licensee who is an individual, the applicant fails to comply, after appropriate notice, with a subpoena or warrant that is issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and that is related to paternity or child support proceedings or the applicant is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. An applicant whose renewal application is denied under this subd. 1. c. is entitled to a notice and hearing under s. 49.857 but is not entitled to a hearing under par. (b).

**SECTION 2777.** 138.12 (5) (am) 2. of the statutes is amended to read:

138.12 (5) (am) 2. The division shall restrict or suspend the license of any insurance premium finance company if the division finds that, in the case of a licensee who is an individual, the licensee fails to comply, after appropriate notice, with a subpoena or warrant that is issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and that is related to paternity or child support proceedings or the licensee is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the
support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. A licensee whose license is restricted or suspended under this subdivision is entitled to a notice and hearing under s. 49.857 but is not entitled to a hearing under par. (b).

Section 2780b. 139.035 of the statutes is repealed and recreated to read:

139.035 Wine shipped directly to individuals in this state. (1) All wine shipped directly to an individual located in Wisconsin by a person holding a direct wine shipper’s permit under s. 125.535 shall be sold with the occupational tax imposed under s. 139.03 included in the selling price. As directed by the department, the taxes imposed under s. 139.03 shall be paid to, and a quarterly return filed with, the department once every quarter. In addition to filing a quarterly liquor tax return, each person holding a direct wine shipper’s permit under s. 125.535 shall be required to file an addendum, on forms furnished by the department, that provides, at minimum, the identity, quantity, and price of all wine shipped to individuals in this state during the previous quarter, along with the name, address, and birthdate of each person who purchased the wine as well as the name of the person of legal drinking age who acknowledged delivery of the wine. Working with permittees under s. 125.535, the department shall develop forms, in both paper and electronic format, for use by such permittees in obtaining this information and complying with any other requirement under this state’s law in connection with the direct shipment of wine.

(2) Any failure of a person holding a direct wine shipper’s permit under s. 125.535 to pay the occupational tax or file the addendum required under sub. (1) within 30 days of its due date constitutes grounds for revocation or suspension of the
permit. The provisions on timely filing under s. 71.80 (18) apply to the tax and addendum required under this section.

**SECTION 2780d.** 139.11 (4) (title) of the statutes is amended to read:

139.11 (4) (title) **CONFIDENTIALITY AND PUBLICATIONS.**

**SECTION 2780e.** 139.11 (4) of the statutes is renumbered 139.11 (4) (a) and amended to read:

139.11 (4) (a) Sections 71.78 (1) and (4) to (9) and 71.83 (2) (a) 3., relating to confidentiality of income, franchise and gift tax returns, apply to any information obtained from any person on a fermented malt beverage or intoxicating liquor tax return, report, schedule, exhibit or other document or from an audit report relating to any of those documents, except that the department of revenue shall publish brewery production and sales statistics and shall publish or permit the publication of statistics on the total number of gallons of the types and brands of intoxicating liquor sold in this state.

**SECTION 2780f.** 139.11 (4) (b) of the statutes is created to read:

139.11 (4) (b) Sections 71.78 (1) and (4) to (9) and 71.83 (2) (a) 3., relating to confidentiality of income, franchise and gift tax returns, do not apply to any information obtained from any person on an intoxicating liquor tax return, report, schedule, exhibit or other document or from an audit report relating to any of those documents. With the information provided to the department by any person, the department of revenue shall publish at least once each month:

1. Statistics on the total number of gallons of the types and brands of intoxicating liquor sold in this state.

2. A current and regularly updated list, made available on paper and on the department’s Internet Web site, of permit holders that minimally includes detailed
information on the name, address, contact person, and date of permit issuance for
every manufacturer’s and rectifier’s permit issued under s. 125.52, winery permit
issued under s. 125.53, direct wine shipper’s permit issued under s. 125.535,
wholesaler’s permit issued under s. 125.54, and out-of-state shipper’s permit issued
under s. 125.58.

3. A report summarizing the identity, quantity, and price of all products sold
under each winery permit issued under s. 125.53 and each direct wine shipper’s
permit issued under s. 125.535.

4. A report summarizing the sales quantity and product data available for all
products sold under each wholesaler’s permit issued under s. 125.54.

SECTION 2781. 139.31 (1) (a) of the statutes is amended to read:

139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand,
38.5 101 mills on each cigarette.

SECTION 2782. 139.31 (1) (b) of the statutes is amended to read:

139.31 (1) (b) On cigarettes weighing more than 3 pounds per thousand, 77 202
mills on each cigarette.

SECTION 2783. 139.315 (1) of the statutes is amended to read:

139.315 (1) INVENTORY TAX IMPOSED. On the effective date of any increase in the
sum of the rates under s. 139.31 (1) (a) and (c) or in the sum of the rates under s.
139.31 (1) (b) and (d), an inventory tax is imposed upon cigarettes held in inventory
for sale or resale on which the cigarette tax has been paid at the prior rate and upon
unaffixed stamps in the possession of distributors. Any person who is in possession
of any such cigarettes or unaffixed stamps shall pay the tax imposed under this
section. Any person liable for this tax shall determine the number of cigarettes and
unaffixed stamps in the person’s possession on the effective date of the increase, and
by the 15th 30th day after the effective date of the increase the person shall file a
return and shall by that date pay the tax due.

SECTION 2785. 139.32 (5) of the statutes is amended to read:

139.32 (5) Manufacturers, bonded direct marketers, and distributors who are
authorized by the department to purchase tax stamps shall receive a discount of 1.6%
0.7 percent of the tax paid on stamp purchases.

SECTION 2838. 139.76 (1) of the statutes is amended to read:

139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,
possession with intent to sell or removal for consumption or sale or other disposition
for any purpose of tobacco products by any person engaged as a distributor of them
at the rate of 25% 65.6 percent of the manufacturer’s established list price to
distributors without diminution by volume or other discounts on domestic products.
On products imported from another country the rate of tax is 25% 65.6 percent of the
amount obtained by adding the manufacturer’s list price to the federal tax, duties
and transportation costs to the United States. The tax attaches at the time the
tobacco products are received by the distributor in this state. The tax shall be passed
on to the ultimate consumer of the tobacco products. All tobacco products received
in this state for sale or distribution within this state, except tobacco products actually
sold as provided in sub. (2), shall be subject to such tax.

SECTION 2840. 139.78 (1) of the statutes is amended to read:

139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco
products in this state at the rate of 25% 65.6 percent of the cost of the tobacco
products. The tax does not apply if the tax imposed by s. 139.76 (1) on the tobacco
products has been paid or if the tobacco products are exempt from the tobacco
products tax under s. 139.76 (2).
SECTION 2851. 146.19 (title) of the statutes is amended to read:

146.19 (title) **Cooperative American Indian health projects.**

SECTION 2852. 146.19 (1) (c) of the statutes is amended to read:

146.19 (1) (c) “Tribal agency” means an agency of the governing body of created by a tribe.

SECTION 2853. 146.19 (1) (d) of the statutes is amended to read:

146.19 (1) (d) “Tribal” means the governing body of a federally recognized American Indian tribe or band located in this state.

SECTION 2854. 146.19 (2) (intro.) of the statutes is amended to read:

146.19 (2) **Cooperative American Indian Health Project Grants.** (intro.) From the appropriation under s. 20.435 (5) (ke), the department shall award grants for cooperative American Indian health projects in order to promote cooperation among tribes, tribal agencies, inter-tribal organizations and other agencies and organizations in addressing specific problem areas in the field of American Indian health. A tribe, tribal agency, or inter-tribal organization may apply, in the manner specified by the department, for a grant of up to $10,000 to conduct a cooperative American Indian health project, which meets all of the following requirements that is designed to do any of the following:

SECTION 2855. 146.19 (2) (a) of the statutes is repealed.

SECTION 2856. 146.19 (2) (b) (intro.) of the statutes is repealed.

SECTION 2857. 146.19 (2) (b) 1. of the statutes is renumbered 146.19 (2) (am).

SECTION 2858. 146.19 (2) (b) 2. of the statutes is renumbered 146.19 (2) (bm) and amended to read:

146.19 (2) (bm) Fund start-up costs of cooperative programs to deliver health care services to American Indians.
SECTION 2859. 146.19 (2) (b) 3. of the statutes is renumbered 146.19 (2) (c).

SECTION 2860. 146.19 (2) (d) of the statutes is created to read:

146.19 (2) (d) Provide innovative community-based health care services to American Indians.

SECTION 2861. 146.19 (4) of the statutes is repealed.

SECTION 2862. 146.40 (4d) (am) of the statutes is amended to read:

146.40 (4d) (am) If an individual who applies for a certification or approval under par. (a) does not have a social security number, the individual, as a condition of obtaining certification or approval, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A certification or approval issued in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 2863. 146.51 (1m) of the statutes is amended to read:

146.51 (1m) If an individual who applies for or to renew a license, training permit or certification under sub. (1) does not have a social security number, the individual, as a condition of obtaining the license, training permit or certification, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A license, training permit or certification issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

SECTION 2864. 146.51 (2) of the statutes is amended to read:

146.51 (2) The department of health and family services may not disclose any information received under sub. (1) to any person except to the department of
workforce development children and families for the purpose of making certifications required under s. 49.857.

SECTION 2865. 146.51 (3) of the statutes is amended to read:

146.51 (3) The department of health and family services shall deny an application for the issuance or renewal of a license, training permit or certification specified in sub. (1), shall suspend a license, training permit or certification specified in sub. (1) or may, under a memorandum of understanding under s. 49.857 (2), restrict a license, training permit or certification specified in sub. (1) if the department of workforce development children and families certifies under s. 49.857 that the applicant for or holder of the license, training permit or certification is delinquent in the payment of court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings.

SECTION 2866. 146.52 (1m) of the statutes is amended to read:

146.52 (1m) If an individual who applies for or to renew a license, training permit or certificate under sub. (1) does not have a social security number, the individual, as a condition of obtaining the license, training permit or certificate, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A license, training permit or certificate issued or renewed in reliance upon a false statement submitted under this subsection is invalid.
SECTION 2869h. 146.57 (3) (a) of the statutes is amended to read:

146.57 (3) (a) The department shall implement a statewide poison control system, which shall provide poison control services that are available statewide, on a 24-hour per day and 365-day per year basis and shall provide poison information and education to health care professionals and the public. From the appropriation under s. 20.435 (5) (ds), the department shall, if the requirement under par. (b) is met, distribute total funding of not more than $375,000 $425,000 in each fiscal year to supplement the operation of the system and to provide for the statewide collection and reporting of poison control data. The department may, but need not, distribute all of the funds in each fiscal year to a single poison control center.

SECTION 2870m. 146.68 of the statutes is created to read:

146.68 Grant for colposcopies and other services. From the appropriation under s. 20.435 (5) (dg), the department shall provide $100,000 in fiscal year 2007−08 and $75,000 in each subsequent fiscal year to an entity that satisfies the following criteria to provide colposcopic examinations and to provide services to medical assistance recipients or persons who are eligible for medical assistance:

(1) The entity is located in the western or northern public health region of the state, as determined by the department.

(2) The entity provides Papanicolaou tests, and at least 50 percent of the persons for whom the entity provides Papanicolaou tests are recipients of medical assistance or are eligible for medical assistance.

SECTION 2873. 146.91 (2) (c) of the statutes is repealed.

SECTION 2874. 146.91 (5) of the statutes is repealed.

SECTION 2875. 146.99 of the statutes is repealed.
SECTION 2875e. 146.997 (1) (c) of the statutes is amended to read:

146.997 (1) (c) “Health care facility” means a facility, as defined in s. 647.01 (4), or any hospital, nursing home, community-based residential facility, county home, county infirmary, county hospital, county mental health complex or other place licensed or approved by the department of health and family services under s. 49.70, 49.71, 49.72, 50.03, 50.35, 51.08 or 51.09 or a facility under s. 45.50, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.

SECTION 2876. 149.11 (2) (a) 1. of the statutes is amended to read:

149.11 (2) (a) 1. Insurer assessments under s. 149.13, paid to the authority under s. 20.145 (5) (g).

SECTION 2877. 149.11 (2) (a) 3. of the statutes is repealed and recreated to read:

149.11 (2) (a) 3. Moneys received from the federal government in high risk pool grants.

SECTION 2878. 149.11 (2) (b) of the statutes is amended to read:

149.11 (2) (b) The authority controls the assets of the fund and shall select regulated financial institutions in this state that receive deposits in which to establish and maintain accounts for assets needed on a current basis. If practicable, the accounts shall earn interest.

SECTION 2881. 149.12 (2) (f) 2. g. of the statutes is created to read:

149.12 (2) (f) 2. g. Benefits under the demonstration project for childless adults under s. 49.45 (23).

SECTION 2882. 149.12 (2) (g) 3. of the statutes is amended to read:

149.12 (2) (g) 3. Services provided under a waiver requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8c) the disabled children’s long-term support program, as defined in s. 46.011 (1g).
SECTION 2883. 149.12 (3) (a) of the statutes is amended to read:

149.12 (3) (a) Except as provided in pars. (b) and (bm) to (c), no person is eligible for coverage under the plan for whom a premium, deductible, or coinsurance amount is paid or reimbursed by a federal, state, county, or municipal government or agency as of the first day of any term for which a premium amount is paid or reimbursed and as of the day after the last day of any term during which a deductible or coinsurance amount is paid or reimbursed.

SECTION 2884. 149.12 (3) (c) of the statutes is created to read:

149.12 (3) (c) Persons for whom premium costs for health insurance coverage and copayments for certain prescription drugs are paid under the pilot program under s. 49.686 (6) are not ineligible for coverage under the plan by reason of such payments.

SECTION 2885. 149.13 (3) (a) of the statutes is amended to read:

149.13 (3) (a) Each insurer’s proportion of participation under sub. (2) shall be determined annually by the commissioner based on annual statements and other reports filed by the insurer with the commissioner. The commissioner shall assess an insurer for the insurer’s proportion of participation based on the total assessments estimated by the authority. An insurer shall pay the amount of the assessment directly to the authority.

SECTION 2892. 149.143 (1) (intro.) of the statutes is amended to read:

149.143 (1) COSTS EXCLUDING SUBSIDIES. (intro.) The authority shall pay plan costs, excluding any premium, deductible, and copayment subsidies, first from any federal funds, if any, that are transferred to the fund under s. 20.145 (5) (m) and under s. 149.11 (2) (a) 3. that exceed premium, deductible, and copayment subsidy
costs in a policy year. The remainder of the plan costs, excluding premium, deductible, and copayment subsidy costs, shall be paid as follows:

**SECTION 2893.** 149.143 (2) (intro.) of the statutes is amended to read:

149.143 (2) SUBSIDY COSTS. (intro.) The authority shall pay for premium, deductible, and copayment subsidies in a policy year first from any federal funds, if any, that are transferred to the fund under s. 20.145 (5) (m) under s. 149.11 (2) (a) 3. received in that year. The remainder of the subsidy costs shall be paid as follows:

**SECTION 2895h.** Subchapter IV of chapter 149 [precedes 149.60] of the statutes is repealed.

**SECTION 2898g.** 150.84 (2) of the statutes is amended to read:

150.84 (2) “Health care facility” means a facility, as defined in s. 647.01 (4), or any hospital, nursing home, community-based residential facility, county home, county infirmary, county hospital, county mental health center or other place licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08 or 51.09 or a facility under s. 45.50, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.

**SECTION 2898h.** 153.05 (2r) (intro.) of the statutes, as affected by 2005 Wisconsin Act 228, is amended to read:

153.05 (2r) (intro.) Notwithstanding s. 16.75 (1), (2), and (3m), from the appropriation account under s. 20.515 (1) (ut) the department of employee trust funds may expend up to $150,000, and from the appropriation accounts under s. 20.435 (1) (hg) and (hi) the department of health and family services, in its capacity as a public health authority, may expend moneys, to contract with a data organization to perform services under this chapter that are specified for the data organization under sub. (1) (c) or, if s. 153.455 (4) applies, for the department of
health and family services to perform or contract for the performance of these services. As condition of the contract under this subsection, all of the following apply:

SECTION 2898r. 155.01 (6) of the statutes is amended to read:

155.01 (6) “Health care facility” means a facility, as defined in s. 647.01 (4), or any hospital, nursing home, community-based residential facility, county home, county infirmary, county hospital, county mental health center or other place licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08 or 51.09 or a facility under s. 45.50, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.

SECTION 2902. 165.08 of the statutes is amended to read:

165.08 Power to compromise. Any civil action prosecuted by the department by direction of any officer, department, board or commission, shall be compromised or discontinued when so directed by such officer, department, board or commission. Any Exception as provided in s. 20.931 (7) (b), any civil action prosecuted by the department on the initiative of the attorney general, or at the request of any individual may be compromised or discontinued with the approval of the governor. In any criminal action prosecuted by the attorney general, the department shall have the same powers with reference to such action as are vested in district attorneys.

SECTION 2904. 165.25 (11) of the statutes is created to read:

165.25 (11) False claims. Diligently investigate possible violations of s. 20.931, and, if the department determines that a person has committed an act that is punishable under s. 20.931, may bring a civil action against that person.

SECTION 2905. 165.72 (3) of the statutes is amended to read:

165.72 (3) Reward payment program. The department shall administer a reward payment program. Under the program, the department may offer and pay
rewards from the appropriation under s. 20.455 (2) (e) (m) for information under sub. (2) (a) leading to the arrest and conviction of a person for a violation of ch. 961.

**SECTION 2906.** 165.85 (3) (cm) of the statutes is amended to read:

165.85 (3) (cm) Decertify law enforcement, tribal law enforcement, jail or secure detention officers who terminate employment or are terminated, who violate or fail to comply with a rule or order of the board relating to curriculum or training, who fail to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or who fail to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings. The board shall establish procedures for decertification in compliance with ch. 227, except that decertification for failure to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or for failure to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings shall be done as provided under sub. (3m) (a).

**SECTION 2907.** 165.85 (3m) (a) of the statutes is amended to read:

165.85 (3m) (a) As provided in a memorandum of understanding entered into with the department of children and families under s. 49.857, refuse certification to an individual who applies for certification under this section, refuse recertification to an individual certified under this section or decertify an individual certified under this section if the individual fails to pay court-ordered
payments of child or family support, maintenance, birth expenses, medical expenses
or other expenses related to the support of a child or former spouse or if the individual
fails to comply, after appropriate notice, with a subpoena or warrant issued by the
department of workforce development children and families or a county child
support agency under s. 59.53 (5) and related to paternity or child support
proceedings.

SECTION 2908. 165.85 (3m) (b) 1. of the statutes is amended to read:

165.85 (3m) (b) 1. Request that an individual provide the board with his or her
social security number when he or she applies for certification or recertification
under this section. Except as provided in subd. 2., if an individual who is requested
by the board to provide his or her social security number under this paragraph does
not comply with the board's request, the board shall deny the individual's application
for certification or recertification. The board may disclose a social security number
provided by an individual under this paragraph only to the department of workforce
development children and families as provided in a memorandum of understanding
entered into with the department of workforce development children and families
under s. 49.857.

SECTION 2909. 165.85 (3m) (b) 2. of the statutes is amended to read:

165.85 (3m) (b) 2. As a condition of applying for certification or recertification,
an individual who does not have a social security number shall submit a statement
made or subscribed under oath or affirmation to the board that he or she does not
have a social security number. The form of the statement shall be prescribed by the
department of workforce development children and families. A certification or
recertification issued in reliance on a false statement submitted under this
subdivision is invalid.
SECTION 2909h. 165.91 (2) of the statutes is renumbered 165.91 (2) (a) and amended to read:

165.91 (2) (a) From the appropriation under s. 20.455 (2) (kw), the department shall provide grants to tribes to fund tribal law enforcement operations. To be eligible for a grant under this section subsection, a tribe must submit an application for a grant to the department that includes a proposed plan for expenditure of the grant moneys. The department shall review any application and plan submitted to determine whether that application and plan meet the criteria established under sub. (3) par. (b). The department shall review the use of grant money provided under this section subsection to ensure that the money is used according to the approved plan.

SECTION 2909j. 165.91 (3) of the statutes is renumbered 165.91 (2) (b) and amended to read:

165.91 (2) (b) The department shall develop criteria and procedures for use in administering this section subsection. The department may not consider the grant under sub. (4) when determining grant awards under this subsection. Notwithstanding s. 227.10 (1), the criteria and procedures need not be promulgated as rules under ch. 227.

SECTION 2909L. 165.91 (4) of the statutes is created to read:

165.91 (4) From the appropriation under s. 20.455 (2) (kw) the department shall annually award the Lac Courte Oreilles band of Lake Superior Chippewa Indians $80,000 for tribal law enforcement services.

SECTION 2913c. 167.10 (3) (c) (intro.) of the statutes is amended to read:

167.10 (3) (c) (intro.) A permit under this subsection may be issued only to the following persons:
SECTION 2913d. 167.10 (3) (c) 6. of the statutes is repealed and recreated to read:

167.10 (3) (c) 6. Any individual or group of individuals.

SECTION 2913e. 167.10 (4) of the statutes is amended to read:

167.10 (4) OUT-OF-STATE AND IN-STATE SHIPPING. This section does not prohibit a resident wholesaler or jobber from selling fireworks to a nonresident person or to a person or group granted a permit under sub. (3) (c) 1. to 7. A resident wholesaler or jobber that ships the fireworks sold under this subsection shall package and ship the fireworks in accordance with applicable state and federal law by, as defined in s. 194.01 (1), (2) and (11), common motor carrier, contract motor carrier or private motor carrier.

SECTION 2914. 169.34 (2) of the statutes is amended to read:

169.34 (2) DISCLOSURE OF SOCIAL SECURITY NUMBERS. The department of natural resources may not disclose any social security numbers received under sub. (1) to any person except to the department of workforce development children and families for the sole purpose of administering s. 49.22.

SECTION 2915. 169.34 (3) (a) of the statutes is amended to read:

169.34 (3) (a) As provided in the memorandum of understanding required under s. 49.857 (2), the department of natural resources shall deny an application to issue or renew, to suspend if already issued, or to otherwise withhold or restrict a license issued under this chapter if the applicant for or the holder of the license is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or if the applicant or holder fails to comply with a subpoena or warrant issued by the department of workforce development children and families.
and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings.

SECTION 2916. 170.12 (3m) (a) 1m. of the statutes is amended to read:

170.12 (3m) (a) 1m. If the applicant is an individual and does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A permit issued in reliance upon a false statement submitted under this subdivision is invalid.

SECTION 2917. 170.12 (3m) (b) 2. of the statutes is amended to read:

170.12 (3m) (b) 2. The board may disclose information under par. (a) 1. or 2. to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

SECTION 2918. 170.12 (8) (b) 1. c. of the statutes is amended to read:

170.12 (8) (b) 1. c. In the case of a permit holder who is an individual, the applicant fails to provide his or her social security number, fails to comply, after appropriate notice, with a subpoena or warrant that is issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and that is related to paternity or child support proceedings or the applicant is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. An applicant whose renewal application is denied under this subd. 1. c. is entitled to a notice and hearing under s. 49.857 but is not entitled to any other hearing under this section.
SECTION 2919. 170.12 (8) (b) 2. of the statutes is amended to read:

170.12 (8) (b) 2. The board shall restrict or suspend a permit issued under this section if the board finds that, in the case of a permit holder who is an individual, the permit holder fails to comply, after appropriate notice, with a subpoena or warrant that is issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and that is related to paternity or child support proceedings or the permit holder is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. A permit holder whose permit is restricted or suspended under this subdivision is entitled to a notice and hearing under s. 49.857 but is not entitled to any other hearing under this section.

SECTION 2921. 175.40 (6m) (c) 4. of the statutes is created to read:

175.40 (6m) (c) 4. By no later than 30 days after the end of each calendar quarter, the department of administration shall submit a report to the joint committee on finance detailing all moneys expended or encumbered from the appropriation account under s. 20.505 (2) (am) during that calendar quarter for costs and judgments under subd. 1. or 2.

SECTION 2922. 177.265 (1) (intro.) of the statutes is amended to read:

177.265 (1) (intro.) At least quarterly, the department of workforce development children and families shall reimburse the administrator, based on information provided by the administrator, for all of the following:

SECTION 2922u. 185.81 of the statutes is amended to read:
185.81 Admission of foreign cooperatives. A foreign cooperative is entitled to all rights, exemptions and privileges of a cooperative organized under this chapter, if it is authorized to do business in this state under ch. 180. Such foreign cooperative may qualify under ch. 180 whether or not formed for profit and whether or not formed with stock. Any such foreign cooperative claiming to be subject to s. 71.26 (1) (a) or 71.45 (1) (a) may be required to furnish the department of revenue with such facts as said department shall deem necessary to establish the foreign cooperative’s rights thereunder.

SECTION 2924c. 185.981 (4t) of the statutes is amended to read:

185.981 (4t) A sickness care plan operated by a cooperative association is subject to ss. 252.14, 631.17, 631.89, 631.95, 632.72 (2), 632.745 to 632.749, 632.85, 632.853, 632.855, 632.87 (2m), (3), (4), (5), and (6), 632.895 (10) to (14) (15), and 632.897 (10) and chs. 149 and 155.

SECTION 2924f. 185.983 (1) (intro.) of the statutes is amended to read:

185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.17, 631.89, 631.93, 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853, 632.855, 632.87 (2m), (3), (4), (5), and (6), 632.895 (5) and (9) to (14) (15), 632.896, and 632.897 (10) and chs. 609, 630, 635, 645, and 646, but the sponsoring association shall:

SECTION 2929. 196.218 (3) (a) 3. a. of the statutes is amended to read:

196.218 (3) (a) 3. a. The amount appropriated under s. 20.155 (1) (q)—except that in fiscal year 2003–04 the total amount of contributions in that fiscal year under this subd. 3. a. may not exceed $5,000,000 and except that beginning in fiscal year
2004–05 the total amount of contributions in a fiscal year under this subd. 3. a. may not exceed $6,000,000.

SECTION 2929e. 196.218 (3) (a) 4. of the statutes is repealed.

SECTION 2929g. 196.218 (3) (e) of the statutes is amended to read:

196.218 (3) (e) Except as provided in par. (f) and s. 196.196 (2) (d), a telecommunications provider or other person may not establish a surcharge on customers' bills to collect from customers contributions required under this subsection.

SECTION 2929j. 196.218 (3) (f) of the statutes is amended to read:

196.218 (3) (f) Notwithstanding ss. 196.196 (1) and (5) (d) 2., 196.20 (2m), (5) and (6), 196.213 and 196.215, a telecommunications utility that provides local exchange service may make adjustments to local exchange service rates for the purpose of recovering the portion of its contributions to the universal service fund that is determined by the commission under par. (a) 4. required under this subsection. A telecommunications utility that adjusts local exchange service rates for the purpose of recovering all or any amount of that portion such contributions shall identify on customer bills a single amount that is the total amount of the adjustment. The public service commission shall provide telecommunications utilities the information necessary to identify such amounts on customer bills.

SECTION 2929m. 196.218 (3) (g) of the statutes is created to read:

196.218 (3) (g) If the commission or a telecommunications provider makes a mistake in calculating or reporting any data in connection with the contributions required under par. (a), and the mistake results in the telecommunications provider's overpayment of such a contribution, the commission shall reimburse the telecommunications provider for the amount of the overpayment.
**SECTION 2929v.** 196.218 (5) (a) 6. of the statutes is amended to read:

196.218 (5) (a) 6. To pay the department of administration for telecommunications services provided under s. 16.972 (1) to the campuses of the University of Wisconsin System at River Falls, Stout, Superior and Whitewater.

**SECTION 2930.** 196.218 (5) (a) 7. of the statutes is repealed.

**SECTION 2931.** 196.218 (5) (d) 2. of the statutes is amended to read:

196.218 (5) (d) 2. The commission shall annually provide information booklets to all Wisconsin works agencies that describe the current assistance from the universal service fund that is available to low-income individuals who are served by the Wisconsin works agencies, including a description of how such individuals may obtain such assistance. The department of workforce development shall assist the commission in identifying the Wisconsin works agencies to which the commission is required to submit the information required under this subdivision.

**SECTION 2932.** 196.374 (3) (b) 2. (intro.) of the statutes, as affected by 2005 Wisconsin Act 141, is amended to read:

196.374 (3) (b) 2. (intro.) The commission shall require each energy utility to spend 1.2 percent of its annual operating revenues to fund the utility’s programs under sub. (2) (b) 1., the utility’s ordered programs, and the utility’s share of the statewide energy efficiency and renewable resource programs under sub. (2) (a) 1., and the utility’s share, as determined by the commission under sub. (3) (b) 4., of the costs incurred by the commission in administering this section. Subject to approval under subd. 3., the commission may require each energy utility to spend a larger percentage of its annual operating revenues to fund these programs and costs. The
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The commission may make such a requirement based on the commission’s consideration of all of the following:

SECTION 2933. 196.374 (3) (b) 4. of the statutes is created to read:

196.374 (3) (b) 4. In each fiscal year, the commission shall collect from the persons with whom energy utilities contract under sub. (2) (a) 1. an amount equal to the costs incurred by the commission in administering this section.

SECTION 2936. 217.05 (1m) (b) 2. of the statutes is amended to read:

217.05 (1m) (b) 2. The division may disclose information under par. (a) 1. to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

SECTION 2937. 217.05 (1m) (c) 1. of the statutes is amended to read:

217.05 (1m) (c) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families.

SECTION 2938. 217.06 (6) of the statutes is amended to read:

217.06 (6) If the applicant is an individual, the applicant has not failed to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings and is not delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses
related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 2939. 217.09 (1m) of the statutes is amended to read:

217.09 (1m) The division shall restrict or suspend any license issued under this chapter to an individual, if the individual fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. A licensee whose license is restricted or suspended under this subsection is entitled to a notice and hearing only as provided in a memorandum of understanding entered into under s. 49.857 and is not entitled to any other notice or hearing under this chapter.

SECTION 2940. 218.0114 (20) (c) of the statutes is amended to read:

218.0114 (20) (c) An applicant or licensee furnishing information under par. (a) may designate the information as a trade secret, as defined in s. 134.90 (1) (c), or as confidential business information. The licensor shall notify the applicant or licensee providing the information 15 days before any information designated as a trade secret or as confidential business information is disclosed to the legislature, a state agency, as defined in s. 13.62 (2), a local governmental unit, as defined in s. 605.01 (1), or any other person. The applicant or licensee furnishing the information may seek a court order limiting or prohibiting the disclosure, in which case the court shall weigh the need for confidentiality of the information against the public interest in the disclosure. A designation under this paragraph does not prohibit the disclosure
of a person’s name or address, of the name or address of a person’s employer or of financial information that relates to a person when requested under s. 49.22 (2m) by the department of workforce development children and families or a county child support agency under s. 59.53 (5).

SECTION 2941. 218.0114 (21e) (a) of the statutes is amended to read:

218.0114 (21e) (a) In addition to any other information required under this section and except as provided in par. (c), an application by an individual for the issuance or renewal of a license described in sub. (14) shall include the individual’s social security number and an application by a person who is not an individual for the issuance or renewal of a license described in sub. (14) (a), (b), (c) or (e) shall include the person’s federal employer identification number. The licensor may not disclose any information received under this paragraph to any person except the department of workforce development children and families for purposes of administering s. 49.22 or the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 2942. 218.0114 (21e) (c) of the statutes is amended to read:

218.0114 (21e) (c) If an applicant for the issuance or renewal of a license described in sub. (14) is an individual who does not have a social security number, the applicant, as a condition of applying for or applying to renew the license, shall submit a statement made or subscribed under oath or affirmation to the licensor that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this paragraph is invalid.

SECTION 2943. 218.0114 (21g) (b) 2. of the statutes is amended to read:
218.0114 (21g) (b) 2. The licensor may disclose information under par. (a) 1. to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

SECTION 2944. 218.0114 (21g) (c) of the statutes is amended to read:

218.0114 (21g) (c) If an applicant for the issuance or renewal of a license described in sub. (16) is an individual who does not have a social security number, the applicant, as a condition of applying for or applying to renew the license, shall submit a statement made or subscribed under oath or affirmation to the licensor that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this paragraph is invalid.

SECTION 2945. 218.0116 (1g) (a) of the statutes is amended to read:

218.0116 (1g) (a) A license described in s. 218.0114 (14) shall be denied, restricted, limited or suspended if the applicant or licensee is an individual who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 2946. 218.0116 (1m) (a) 3. of the statutes is amended to read:

218.0116 (1m) (a) 3. The applicant is an individual who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of
workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. An applicant whose application is denied under this subdivision is entitled to a notice and hearing under s. 49.857 but is not entitled to any other notice or hearing under ss. 218.0101 to 218.0163.

**SECTION 2947.** 218.0116 (1m) (b) of the statutes is amended to read:

218.0116 (1m) (b) A license described in s. 218.0114 (16) shall be restricted or suspended if the licensee is an individual who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. A licensee whose license is restricted or suspended under this paragraph is entitled to a notice and hearing under s. 49.857 but is not entitled to any other notice or hearing under ss. 218.0101 to 218.0163.

**SECTION 2948.** 218.0171 (2) (cq) of the statutes is amended to read:

218.0171 (2) (cq) Upon payment of a refund to a consumer under par. (b) 2. b., the manufacturer shall provide to the consumer a written statement that specifies the trade-in amount previously applied under s. 77.51 (4) (b) 3. or 3m. or (15) (b) 4. or 4m. (12m) (b) 5. or 6. or (15b) (b) 5. or 6. toward the sales price of the motor vehicle
having the nonconformity and the date on which the manufacturer provided the refund.

**SECTION 2952.** 218.02 (2) (a) 2. b. of the statutes is amended to read:

218.02 (2) (a) 2. b. The division may disclose information under subd. 1. a. to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

**SECTION 2953.** 218.02 (2) (a) 3. of the statutes is amended to read:

218.02 (2) (a) 3. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

**SECTION 2954.** 218.02 (3) (e) of the statutes is amended to read:

218.02 (3) (e) That, if the applicant is an individual, the applicant has not failed to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings and is not delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857.

**SECTION 2955.** 218.02 (6) (b) of the statutes is amended to read:
218.02 (6) (b) In accordance with a memorandum of understanding entered into under s. 49.857, the division shall restrict or suspend a license if the licensee is an individual who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse.

**SECTION 2956.** 218.02 (9) (a) 2. of the statutes is amended to read:

218.02 (9) (a) 2. Applications for licenses that are denied or licenses that are restricted or suspended because the applicant or licensee has failed to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse.

**SECTION 2957.** 218.04 (3) (a) 2. b. of the statutes is amended to read:

218.04 (3) (a) 2. b. The division may disclose information under subd. 1. a. to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

**SECTION 2958.** 218.04 (3) (a) 3. of the statutes is amended to read:

218.04 (3) (a) 3. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath
or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

**SECTION 2959.** 218.04 (4) (am) 3. of the statutes is amended to read:

218.04 (4) (am) 3. The applicant fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. An applicant whose application is denied under this subdivision for delinquent payments is entitled to a notice and hearing under s. 49.857 but is not entitled to any other notice or hearing under this section.

**SECTION 2960.** 218.04 (5) (am) of the statutes is amended to read:

218.04 (5) (am) The division shall restrict or suspend a license issued under this section if the division finds that the licensee is an individual who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under
s. 49.857. A licensee whose license is restricted or suspended under this paragraph is entitled to a notice and hearing only as provided in a memorandum of understanding entered into under s. 49.857 and is not entitled to any other notice or hearing under this section.

SECTION 2961. 218.05 (3) (am) 2. b. of the statutes is amended to read:

218.05 (3) (am) 2. b. The division may disclose information under subd. 1. a. to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

SECTION 2962. 218.05 (3) (am) 3. of the statutes is amended to read:

218.05 (3) (am) 3. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2963. 218.05 (4) (c) 3. of the statutes is amended to read:

218.05 (4) (c) 3. The applicant is an individual who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under
s. 49.857. An applicant whose application is denied under this subdivision for
delinquent payments is entitled to a notice and hearing under s. 49.857 but is not
entitled to any notice or hearing under par. (b).

SECTION 2964. 218.05 (11) (c) of the statutes is amended to read:

218.05 (11) (c) The renewal applicant is an individual who fails to comply, after
appropriate notice, with a subpoena or warrant issued by the department of
workforce development children and families or a county child support agency under
s. 59.53 (5) and related to paternity or child support proceedings or is delinquent in
making court-ordered payments of child or family support, maintenance, birth
expenses, medical expenses or other expenses related to the support of a child or
former spouse, as provided in a memorandum of understanding entered into under
s. 49.857. An applicant whose application is denied under this subsection for
delinquent payments or failure to comply with a subpoena or warrant is entitled to
a notice and hearing only as provided in a memorandum of understanding entered
into under s. 49.857 and is not entitled to any other notice or hearing under this
section.

SECTION 2965. 218.05 (12) (am) of the statutes is amended to read:

218.05 (12) (am) The division shall restrict or suspend any license issued under
this section if the licensee is an individual who fails to comply, after appropriate
notice, with a subpoena or warrant issued by the department of workforce
development children and families or a county child support agency under s. 59.53
(5) and related to paternity or child support proceedings or who is delinquent in
making court-ordered payments of child or family support, maintenance, birth
expenses, medical expenses or other expenses related to the support of a child or
former spouse, as provided in a memorandum of understanding entered into under
s. 49.857. A licensee whose license is restricted or suspended under this paragraph is entitled to a notice and hearing only as provided in a memorandum of understanding entered into under s. 49.857 and is not entitled to any other notice or hearing under this section.

SECTION 2965. 218.11 (2) (am) 3. of the statutes is amended to read:

218.11 (2) (am) 3. The department of commerce may not disclose any information received under subd. 1. to any person except to the department of workforce development children and families for purposes of administering s. 49.22 or to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 2966. 218.11 (2) (am) 4. of the statutes is amended to read:

218.11 (2) (am) 4. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2967. 218.11 (6m) (a) of the statutes is amended to read:

218.11 (6m) (a) A license under this section shall be denied, restricted, limited or suspended if an applicant or licensee is an individual who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued
by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 2969. 218.12 (2) (am) 2. of the statutes is amended to read:

218.12 (2) (am) 2. The department of commerce may not disclose a social security number obtained under par. (a) to any person except to the department of workforce development children and families for the sole purpose of administering s. 49.22 or to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 2970. 218.12 (2) (am) 3. of the statutes is amended to read:

218.12 (2) (am) 3. If an applicant does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2971. 218.12 (3m) (a) of the statutes is amended to read:

218.12 (3m) (a) A license shall be denied, restricted, limited or suspended if the applicant or licensee is an individual who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency.
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Support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

Section 2972. 218.21 (2f) (a) of the statutes is amended to read:

218.21 (2f) (a) If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a motor vehicle salvage dealer’s license, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families.

Section 2973. 218.21 (2m) (b) of the statutes is amended to read:

218.21 (2m) (b) The department of transportation may not disclose any information received under sub. (2) (ag) or (am) to any person except to the department of workforce development children and families for purposes of administering s. 49.22 or the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

Section 2974. 218.22 (3m) (a) of the statutes is amended to read:

218.22 (3m) (a) The department shall deny, restrict, limit or suspend a license if the applicant or licensee is an individual who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support
proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

**SECTION 2974.** 218.31 (1f) (a) of the statutes is amended to read:

218.31 (1f) (a) If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a motor vehicle auction dealer’s license, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families.

**SECTION 2975.** 218.31 (1m) (b) of the statutes is amended to read:

218.31 (1m) (b) The department of transportation may not disclose any information received under sub. (1) (ag) or (am) to any person except to the department of workforce development children and families for purposes of administering s. 49.22 or the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

**SECTION 2976.** 218.32 (3m) (a) of the statutes is amended to read:

218.32 (3m) (a) The department shall deny, restrict, limit or suspend a license if the applicant or licensee is an individual who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.
SECTION 2978. 218.41 (2) (am) 2. of the statutes is amended to read:

218.41 (2) (am) 2. The department of transportation may not disclose any information received under subd. 1. a. or b. to any person except to the department of workforce development children and families for the sole purpose of administering s. 49.22 or the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 2979. 218.41 (2) (am) 3. of the statutes is amended to read:

218.41 (2) (am) 3. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2980. 218.41 (3m) (a) of the statutes is amended to read:

218.41 (3m) (a) A license shall be denied, restricted, limited or suspended if the applicant or licensee is an individual who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.
SECTION 2981. 218.51 (3) (am) 2. of the statutes is amended to read:

218.51 (3) (am) 2. The department of transportation may not disclose any information received under subd. 1. a. or b. to any person except to the department of workforce development children and families for the sole purpose of administering s. 49.22 or the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 2982. 218.51 (3) (am) 3. of the statutes is amended to read:

218.51 (3) (am) 3. If an applicant for the issuance or renewal of a buyer identification card is an individual who does not have a social security number, the applicant, as a condition of applying for or applying to renew the buyer identification card, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. Any buyer identification card issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2983. 218.51 (4m) (a) of the statutes is amended to read:

218.51 (4m) (a) The department shall deny, restrict, limit or suspend a license if the applicant or licensee is an individual who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.
SECTION 2985. 224.40 (2) of the statutes is amended to read:

224.40 (2) FINANCIAL RECORD MATCHING AGREEMENTS. A financial institution is required to enter into an agreement with the department of workforce development children and families in accordance with rules promulgated under s. 49.853 (2).

SECTION 2986. 224.40 (3) (b) of the statutes is amended to read:

224.40 (3) (b) Disclosing information to the department of workforce development children and families or a county child support agency pursuant to the financial record matching program under s. 49.853.

SECTION 2987. 224.40 (3) (c) of the statutes is amended to read:

224.40 (3) (c) Encumbering or surrendering any assets held by the financial institution in response to instructions provided by the department of workforce development children and families or a county child support agency for the purpose of enforcing a child support obligation.

SECTION 2988. 224.72 (2) (c) 2. b. of the statutes is amended to read:

224.72 (2) (c) 2. b. The department may disclose information under subd. 1. a. to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

SECTION 2989. 224.72 (2) (d) 1. of the statutes is amended to read:

224.72 (2) (d) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a registration under this section, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families.

SECTION 2990. 224.72 (7m) (c) of the statutes is amended to read:
224.72 (7m) (c) The applicant for the issuance or renewal is an individual who
fails to comply, after appropriate notice, with a subpoena or warrant issued by the
department of workforce development children and families or a county child
support agency under s. 59.53 (5) and related to paternity or child support
proceedings or who is delinquent in making court-ordered payments of child or
family support, maintenance, birth expenses, medical expenses or other expenses
related to the support of a child or former spouse, as provided in a memorandum of
understanding entered into under s. 49.857. An applicant whose registration is not
issued or renewed under this paragraph for delinquent payments is entitled to a
notice and hearing under s. 49.857 but is not entitled to any other notice or hearing
under this section.

Section 2991. 224.77 (6) of the statutes is amended to read:

224.77 (6) Restriction or suspension of registration. The department shall
restrict or suspend the registration of a mortgage banker, loan originator or
mortgage broker if the registrant is an individual who fails to comply, after
appropriate notice, with a subpoena or warrant issued by the department of
workforce development children and families or a county child support agency under
s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent
in making court-ordered payments of child or family support, maintenance, birth
expenses, medical expenses or other expenses related to the support of a child or
former spouse, as provided in a memorandum of understanding entered into under
s. 49.857. A registrant whose registration is restricted or suspended under this
subsection is entitled to a notice and hearing only as provided in a memorandum of
understanding entered into under s. 49.857 and is not entitled to any other notice or
hearing under this section.
SECTION 2992. 224.927 (2) of the statutes is amended to read:

224.927 (2) The division may disclose the information to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

SECTION 2993. 224.95 (1) (c) of the statutes is amended to read:

224.95 (1) (c) The applicant is an individual who has failed to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent in making court−ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. An applicant whose application for issuance or renewal of a license is denied under this paragraph is entitled to a notice and a hearing under s. 49.857 but is not entitled to a notice or hearing under sub. (4).

SECTION 2993m. 227.01 (12) of the statutes is repealed.

SECTION 2994. 227.01 (13) (im) of the statutes is created to read:

227.01 (13) (im) Relates to the real work, real pay pilot project under s. 49.147 (3m).

SECTION 2994d. 227.01 (13) (km) of the statutes is created to read:

227.01 (13) (km) Establishes policies for information technology development projects as required under s. 16.971 (2) (Lg).

SECTION 2994g. 227.01 (13) (kr) of the statutes is created to read:

227.01 (13) (kr) Establishes policies for information technology development projects as required under s. 36.59 (1) (c).
SECTION 2995. 227.01 (13) (sm) of the statutes is repealed.

SECTION 2996. 227.01 (13) (um) of the statutes is amended to read:

227.01 (13) (um) Lists over-the-counter drugs covered by medical assistance Medical Assistance under s. 49.46 (2) (b) 6. i. or 49.471 (11) (a).

SECTION 2997b. 227.01 (13) (zx) of the statutes is created to read:

227.01 (13) (zx) Determines a fee under s. 440.03 (9) for an initial credential for which no examination is required, for a reciprocal credential, or for a credential renewal.

SECTION 2997be. 227.114 (6) of the statutes is amended to read:

227.114 (6) When an agency, under s. 227.20 (1), files with the revisor legislative reference bureau a rule that is subject to this section, the agency shall include with the rule a summary of the analysis prepared under s. 227.19 (3) (e) and a summary of the comments of the legislative standing committees, if any. If the rule does not require the analysis under s. 227.19 (3) (e), the agency shall include with the rule a statement of the reason for the agency’s determination under s. 227.19 (3m). The revisor legislative reference bureau shall publish the summaries or the statement in the register with the rule.

SECTION 2997br. 227.135 (3) of the statutes is amended to read:

227.135 (3) The agency shall send the statement of the scope of a proposed rule to the revisor legislative reference bureau for publication in the register. On the same day that the agency sends the statement to the revisor legislative reference bureau, the agency shall send a copy of the statement to the secretary of administration.

SECTION 2997de. 227.14 (1) of the statutes is amended to read:
227.14 (1) FORM AND STYLE. In preparing a proposed rule, an agency shall
adhere substantially to the form and style used by the legislative reference bureau
in the preparation of bill drafts and the form and style specified in the manual
prepared by the legislative council staff and the revisor legislative reference bureau
under s. 227.15 (7). To the greatest extent possible, an agency shall prepare proposed
rules in plain language which can be easily understood.

SECTION 2997de. 227.14 (3) of the statutes is amended to read:

227.14 (3) REFERENCE TO APPLICABLE FORMS. If a proposed rule requires a new
or revised form, an agency shall include a reference to the form in a note to the
proposed rule and shall attach to the proposed rule a copy of the form or a description
of how a copy may be obtained. The revisor legislative reference bureau shall insert
the reference in the code as a note to the rule.

SECTION 2997dr. 227.14 (4m) of the statutes is amended to read:

227.14 (4m) NOTICE OF SUBMITTAL TO LEGISLATIVE COUNCIL STAFF. On the same
day that an agency submits a proposed rule to the legislative council staff under s.
227.15, the agency shall prepare a written notice of the agency's submittal to the
legislative council staff. The notice shall include a statement of the date on which
the proposed rule has been submitted to the legislative council staff for review, of the
subject matter of the proposed rule and of whether a public hearing on the proposed
rule is required, and shall identify the organizational unit within the agency that is
primarily responsible for the promulgation of the rule. The notice shall be approved
by the individual or body with policy–making powers over the subject matter of the
proposed rule. The agency shall send the notice to the revisor legislative reference
bureau for publication in the register. On the same day that the agency sends the
notice to the revisor legislative reference bureau, the agency shall send a copy of the
notice to the secretary of administration.

SECTION 2997fr. 227.14 (6) (c) of the statutes is amended to read:

227.14 (6) (c) A proposed rule shall be considered withdrawn on December 31
of the 4th year after the year in which it is submitted to the legislative council staff
under s. 227.15 (1), unless it has been filed in the office of the revisor with the
legislative reference bureau under s. 227.20 (1) or withdrawn by the agency before
that date. No action by a legislative committee or by either house of the legislature
under s. 227.19 delays the date of withdrawal of a proposed rule under this
paragraph.

SECTION 2997he. 227.15 (1m) (e) of the statutes is amended to read:

227.15 (1m) (e) The time, date, and place of any public hearing specified in the
notice in s. 227.17 as soon as that notice is submitted to the revisor of statutes
legislative reference bureau under s. 227.17 (1) (a).

SECTION 2997hr. 227.15 (2) (intro.) of the statutes is amended to read:

227.15 (2) ROLE OF LEGISLATIVE COUNCIL STAFF. (intro.) The legislative council
staff shall, within 20 working days following receipt of a proposed rule, review the
proposed rule in accordance with this subsection. With the consent of the director
of the legislative council staff, the review period may be extended for an additional
20 working days. The legislative council staff shall act as a clearinghouse for rule
drafting and cooperate with the agency and the revisor legislative reference bureau
to:

SECTION 2997je. 227.15 (7) of the statutes is amended to read:
227.15 (7) RULES PROCEDURES MANUAL. The legislative council staff and the revisor’s bureau legislative reference bureau shall prepare a manual to provide agencies with information on drafting, promulgation and legislative review of rules.

SECTION 2997je. 227.17 (1) (a) of the statutes is amended to read:

227.17 (1) (a) Send written notice of the hearing to the revisor legislative reference bureau for publication in the register and, if required, publish the notice in a local newspaper.

SECTION 2997jr. 227.17 (1) (b) of the statutes is amended to read:

227.17 (1) (b) Send written notice of the hearing to each member of the legislature who has filed a written request for notice with the revisor legislative reference bureau. Upon request, the revisor legislative reference bureau shall furnish an agency with the name and address of each legislator who has requested notice.

SECTION 2997Le. 227.17 (1) (bm) of the statutes is amended to read:

227.17 (1) (bm) Send written notice of the hearing to the secretary of administration on the same day that the notice is sent to the revisor legislative reference bureau under par. (a).

SECTION 2997Lr. 227.19 (2) of the statutes is amended to read:

227.19 (2) NOTIFICATION OF LEGISLATURE. An agency shall submit a notice to the chief clerk of each house of the legislature when a proposed rule is in final draft form. The notice shall be submitted in triplicate and shall be accompanied by a report in the form specified under sub. (3). A notice received under this subsection on or after September 1 of an even-numbered year shall be considered received on the first day of the next regular session of the legislature. The presiding officer of each house of the legislature shall, within 10 working days following the day on which the notice
and report are received, direct the appropriate chief clerk to refer them to one 
estanding committee. The agency shall submit to the revisor legislative reference 
bureau for publication in the register a statement that a proposed rule has been 
submitted to the chief clerk of each house of the legislature. Each chief clerk shall 
enter a similar statement in the journal of his or her house.

Section 2997ne. 227.20 (1) of the statutes is amended to read:

227.20 (1) An agency shall file a certified copy of each rule it promulgates in 
the office of the revisor legislative reference bureau. No rule is valid until 
the certified copy has been filed. A certified copy shall be typed or duplicated on 8
1/2 by 11 inch paper, leaving sufficient room for the revisor’s stamp at the top of the 
first page. Forms that are filed need not comply with the specifications of this 
subsection.

Section 2997pe. 227.20 (2) of the statutes is amended to read:

227.20 (2) The revisor legislative reference bureau shall endorse the date and 
the time of filing on each certified copy filed under sub. (1). The revisor bureau shall 
keep a file of all certified copies filed under sub. (1).

Section 2997pr. 227.20 (3) (intro.) of the statutes is amended to read:

227.20 (3) (intro.) Filing a certified copy of a rule with the revisor legislative 
reference bureau creates a presumption of all of the following:

Section 2997re. 227.21 (1) of the statutes is amended to read:

227.21 (1) All rules that agencies are directed by this chapter to file with the 
revisor legislative reference bureau shall be published in the code and register as 
required under s. 35.93.

Section 2997rr. 227.21 (2) (a) of the statutes is amended to read:
227.21 (2) (a) Except as provided in s. 601.41 (3) (b), to avoid unnecessary expense an agency may, with the consent of the revisor legislative reference bureau and the attorney general, adopt standards established by technical societies and organizations of recognized national standing by incorporating the standards in its rules by reference to the specific issue or issues of the publication in which they appear, without reproducing the standards in full.

**Section 2997te.** 227.21 (2) (b) of the statutes is amended to read:

227.21 (2) (b) The attorney general shall consent to incorporation by reference only in a rule of limited public interest and in a case where the incorporated standards are readily available in published form or are available on optical disk or in another electronic format. Each rule containing an incorporation by reference shall state how the material incorporated may be obtained and, except as provided in s. 601.41 (3) (b), that the standards are on file at the offices of the agency and the revisor legislative reference bureau.

**Section 2997tr.** 227.21 (4) of the statutes is amended to read:

227.21 (4) Agency materials that are exempt from the requirements of this chapter under s. 227.01 (13) may be published, either verbatim or in summary form, if the promulgating agency and the revisor legislative reference bureau determine that the public interest would be served by publication.

**Section 2997ve.** 227.22 (3) of the statutes is amended to read:

227.22 (3) The revisor legislative reference bureau may prescribe in the manual prepared under s. 227.15 (7) the monthly date prior to which a rule must be filed in order to be included in that month’s issue of the register. The revisor legislative reference bureau shall compute the effective date of each rule submitted for publication in the register and shall publish it in a note at the end of each section.
For the purpose of computing the effective date, the revisor legislative reference bureau may presume that an issue of the register will be published during the month in which it is designated for publication.

**SECTION 2997ve.** 227.24 (2) (c) of the statutes is amended to read:

> 227.24 (2) (c) Whenever the committee extends an emergency rule or part of an emergency rule under par. (a), it shall file a statement of its action with the agency promulgating the emergency rule and the revisor of statutes legislative reference bureau. The statement shall identify the specific emergency rule or part of an emergency rule to which it relates.

**SECTION 2997xe.** 227.24 (3) of the statutes is amended to read:

> 227.24 (3) FILING. An agency shall file a rule promulgated under sub. (1) as provided in s. 227.20, shall mail a copy to the chief clerk of each house and to each member of the legislature at the time that the rule is filed and shall take any other step it considers feasible to make the rule known to persons who will be affected by it. The revisor legislative reference bureau shall insert in the notice section of each issue of the register a brief description of each rule under sub. (1) that is currently in effect. Each copy, notice or description of a rule promulgated under sub. (1) (a) shall be accompanied by a statement of the emergency finding by the agency or by a statement that the rule is promulgated at the direction of the joint committee for review of administrative rules under s. 227.26 (2) (b).

**SECTION 2997xr.** 227.25 of the statutes is amended to read:

> 227.25 Revisor Legislative reference bureau. (1) The revisor legislative reference bureau shall, in cooperation with the legislative council staff under s. 227.15 (7), prepare a manual informing agencies about the form, style and placement of rules in the code.
(2) The revisor legislative reference bureau shall, upon request, furnish an agency with advice and assistance on the form and mechanics of rule drafting.

(3) An agency may request an advance commitment as to the title or numbering of a proposed rule by submitting a copy of the proposed rule indicating the requested title and numbering to the revisor legislative reference bureau prior to filing. As soon as possible after that, the revisor legislative reference bureau shall either approve the request or inform the agency of any change necessary to preserve uniformity in the code.

(4) The revisor legislative reference bureau may, prior to publication, edit the analysis of a proposed rule and any other material submitted for publication in the code and register, may refer to the fact that those materials are on file or may eliminate them and any reference to them in the code and register if he or she believes they do not appreciably add to an understanding of the rule. The revisor legislative reference bureau shall submit the edited version of any material to the agency for its comments prior to publication.

**SECTION 2997ze.** 227.27 (2) of the statutes is amended to read:

227.27 (2) The code shall be prima facie evidence in all courts and proceedings as provided by s. 889.01, but this does not preclude reference to or, in case of a discrepancy, control over a rule filed with the revisor legislative reference bureau or the secretary of state, and the certified copy of a rule shall also and in the same degree be prima facie evidence in all courts and proceedings.

**SECTION 2998.** 227.43 (1) (by) of the statutes is amended to read:

227.43 (1) (by) Assign a hearing examiner to preside over any hearing of a contested case that is required to be conducted by the department of workforce
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SECTION 2998. Children and families under ch. 48 or subch. III of ch. 49 and that is not
carried out by the secretary of workforce development children and families.

SECTION 2999. 227.43 (2) (d) of the statutes is amended to read:

227.43 (2) (d) The department of workforce development children and families
shall notify the division of hearings and appeals of every pending hearing to which
the administrator of the division is required to assign a hearing examiner under sub.
(1) (by) after the department of workforce development children and families is
notified that a hearing on the matter is required.

SECTION 3000. 227.43 (3) (d) of the statutes is amended to read:

227.43 (3) (d) The administrator of the division of hearings and appeals may
set the fees to be charged for any services rendered to the department of workforce
development children and families by a hearing examiner under this section in a
manner consistent with a federally approved allocation methodology. The fees shall
cover the total cost of the services.

SECTION 3001. 227.43 (4) (d) of the statutes is amended to read:

227.43 (4) (d) The department of workforce development children and families
shall pay all costs of the services of a hearing examiner, including support services,
assigned under sub. (1) (by), according to the fees set under sub. (3) (d).

SECTION 3002. 227.54 of the statutes is amended to read:

227.54 Stay of proceedings. The institution of the proceeding for review
shall not stay enforcement of the agency decision. The reviewing court may order a
stay upon such terms as it deems proper, except as otherwise provided in ss. 49.17
(7), 196.43, 253.06 (7), 448.02 (9), and 551.62.

SECTION 3002m. 229.68 (15) of the statutes is amended to read:
229.68 (15) Impose, by the adoption of a resolution, the taxes under subch. V
of ch. 77. A district may not levy any taxes that are not expressly authorized under
subch. V of ch. 77 and that do not receive the affirmative vote of a supermajority of
the district board. If a district adopts a resolution which imposes taxes, it shall
deliver a certified copy of the resolution to the secretary of revenue at least 30 120
days before its effective date.

SECTION 3002n. 229.824 (15) of the statutes is amended to read:

229.824 (15) Impose, by the adoption of a resolution, the taxes under subch. V
of ch. 77, except that the taxes imposed by the resolution may not take effect until
the resolution is approved by a majority of the electors in the district’s jurisdiction
voting on the resolution at a referendum, to be held at the first spring primary or
September primary following by at least 45 days the date of adoption of the
resolution. Two questions shall appear on the ballot. The first question shall be:
“Shall a sales tax and a use tax be imposed at the rate of 0.5% in .... County for
purposes related to football stadium facilities in the .... Professional Football
Stadium District?” The 2nd question shall be: “Shall excess revenues from the 0.5%
sales tax and use tax be permitted to be used for property tax relief purposes in ....
County?” Approval of the first question constitutes approval of the resolution of the
district board. Approval of the 2nd question is not effective unless the first question
is approved. The clerk of the district shall publish the notices required under s. 10.06
(4) (c), (f) and (i) for any referendum held under this subsection. Notwithstanding
s. 10.06 (4) (c), the type A notice under s. 10.01 (2) (a) relating to the referendum is
valid even if given and published late as long as it is given and published prior to the
election as early as practicable. A district may not levy any taxes that are not
expressly authorized under subch. V of ch. 77. The district may not levy any taxes
until the professional football team and the governing body of the municipality in which the football stadium facilities are located agree on how to fund the maintenance of the football stadium facilities. The district may not levy any taxes until the professional football team and the governing body of the municipality in which the football stadium facilities are located agree on how to distribute the proceeds, if any, from the sale of naming rights related to the football stadium facilities. If a district board adopts a resolution that imposes taxes and the resolution is approved by the electors, the district shall deliver a certified copy of the resolution to the secretary of revenue at least 30 days before its effective date. If a district board adopts a resolution that imposes taxes and the resolution is not approved by the electors, the district is dissolved.

**SECTION 3004b.** 230.03 (3) of the statutes is amended to read:

230.03 (3) “Agency” means any board, commission, committee, council, or department in state government or a unit thereof created by the constitution or statutes if such board, commission, committee, council, department, unit, or the head thereof, is authorized to appoint subordinate staff by the constitution or statute, except a legislative or judicial board, commission, committee, council, department, or unit thereof or an authority created under subch. II of ch. 114 or subch. III of ch. 149 or under ch. 231, 232, 233, 234, 235, or 237, or 279. “Agency” does not mean any local unit of government or body within one or more local units of government that is created by law or by action of one or more local units of government.

**SECTION 3006.** 230.08 (2) (e) 1. of the statutes is amended to read:

230.08 (2) (e) 1. Administration — 13

**SECTION 3007.** 230.08 (2) (e) 2m. of the statutes is created to read:
SECTION 3007. 230.08 (2) (e) 2m. Children and families — 5.

SECTION 3008. 230.08 (2) (e) 6. of the statutes is amended to read:

SECTION 3010. 230.08 (2) (L) 6. of the statutes is amended to read:

SECTION 3012. 230.08 (2) (pd) of the statutes is amended to read:

SECTION 3013. 230.08 (2) (tv) of the statutes is amended to read:

SECTION 3013m. 230.08 (2) (wh) of the statutes is created to read:

SECTION 3014. 230.08 (2) (yc) of the statutes is created to read:

SECTION 3016. 230.13 (3) (a) of the statutes is amended to read:

The director and the administrator shall provide to the department of workforce development children and families or a county child support agency under s. 59.53 (5) information requested under s. 49.22 (2m) that would otherwise be closed to the public under this section. Information provided
under this paragraph may only include an individual’s name and address, an
individual’s employer and financial information related to an individual.

SECTION 3017. 230.147 (1) of the statutes is amended to read:

230.147 (1) Each appointing authority of an agency with more than 100
authorized permanent full-time equivalent positions shall prepare and implement
a plan of action to employ persons who, at the time determined under sub. (4), receive
aid under s. 49.19, or benefits under s. 49.147 (3) to (5), with the goal of making the
ratio of those persons occupying permanent positions in the agency to the total
number of persons occupying permanent positions in the agency equal to the ratio
of the average case load receiving aid under s. 49.19, or benefits under s. 49.147 (3)
to (5), in this state in the previous fiscal year to the average number of persons in the
state civilian labor force in the preceding fiscal year, as determined by the
department of workforce development children and families.

SECTION 3018. 230.147 (2) of the statutes is amended to read:

230.147 (2) Each appointing authority of an agency with 100 or fewer
authorized permanent full-time equivalent positions is encouraged to employ
persons who, at the time determined under sub. (4), receive aid under s. 49.19, or
benefits under s. 49.147 (3) to (5), to attempt to make the ratio of those persons
occupying permanent positions in the agency to the total number of persons
occupying permanent positions in the agency equal to the ratio of the average case
load receiving aid under s. 49.19, or benefits under s. 49.147 (3) to (5) in this state
in the previous fiscal year to the average number of persons in the state civilian labor
force in the preceding fiscal year, as determined by the department of workforce
development children and families.

SECTION 3023a. 233.02 (1) (a) of the statutes is amended to read:
233.02 (1) (a) Three members nominated by the governor, and with the advice and consent of the senate appointed, for 3-year 5-year terms.

**SECTION 3023b.** 233.02 (1) (ag) of the statutes is created to read:

233.02 (1) (ag) Three members nominated by the board of directors and appointed by the governor, with the advice and consent of the senate, for 5-year terms.

**SECTION 3023c.** 233.02 (1) (am) of the statutes is amended to read:

233.02 (1) (am) Each cochairperson of the joint committee on finance or a member of the legislature designated by that cochairperson.

**SECTION 3023d.** 233.02 (8) of the statutes is amended to read:

233.02 (8) The members of the board of directors shall annually elect a chairperson and may elect other officers as they consider appropriate. Six Eight voting members of the board of directors constitute a quorum for the purpose of conducting the business and exercising the powers of the authority, notwithstanding the existence of any vacancy. The members of the board of directors specified under sub. (1) (c) and (g) may not be the chairperson of the board of directors for purposes of 1995 Wisconsin Act 27, section 9159 (2). The board of directors may take action upon a vote of a majority of the members present, unless the bylaws of the authority require a larger number.

**SECTION 3023e.** 233.03 (2) of the statutes is amended to read:

233.03 (2) Sue and be sued; have a seal and alter the seal at pleasure; have perpetual existence; maintain an office; negotiate and enter into leases; accept gifts or grants, but not including research grants in which the grant investigator is an employee of the board of regents; accept bequests or loans; accept and comply with any lawful conditions attached to federal financial assistance; and make and execute
other instruments necessary or convenient to the exercise of the powers of the authority.

**SECTION 3023f.** 233.03 (11) of the statutes is amended to read:

233.03 (11) Issue bonds in accordance with ss. 233.20 to 233.27, 233.26.

**SECTION 3023g.** 233.04 (1) of the statutes is amended to read:

233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief clerk of each house of the legislature under s. 13.172 (2), the president of the board of regents, the secretary of administration and the governor a report on the patient care, education, research and community service activities and accomplishments of the authority and an audited financial statement, certified by an independent auditor, of the authority’s operations. The financial statement shall include a separate accounting of the use of the payment under sub. (7) (f).

**SECTION 3023h.** 233.04 (3b) (a) 1. of the statutes is amended to read:

233.04 (3b) (a) 1. Delivering comprehensive, high-quality health care to patients using the hospitals and to those seeking care from its programs, including a commitment to provide such care for the medically indigent.

**SECTION 3023i.** 233.04 (7) (f) of the statutes is repealed.

**SECTION 3023j.** 233.04 (8) of the statutes is repealed.

**SECTION 3023k.** 233.04 (10) of the statutes is repealed.

**SECTION 3023L.** 233.05 (3) of the statutes is repealed.

**SECTION 3023m.** 233.10 (2) (intro.) of the statutes is amended to read:

233.10 (2) (intro.) Subject to subs. (3), (3m), (3r) and (3l) and ch. 40 and the duty to engage in collective bargaining with employees in a collective bargaining unit for which a representative is recognized or certified under subch. I of ch. 111, the authority may establish any of the following:
SECTION 3023n. 233.10 (3) of the statutes is repealed.

SECTION 3023o. 233.10 (3m) of the statutes is repealed.

SECTION 3023p. 233.10 (3r) of the statutes is repealed.

SECTION 3023q. 233.10 (3t) of the statutes is repealed.

SECTION 3023r. 233.10 (4) of the statutes is repealed.

SECTION 3023s. 233.20 (3m) of the statutes is created to read:

233.20 (3m) The authority may not issue bonds or incur indebtedness described under s. 233.03 (12) unless one of the following applies:

(a) The bonds or indebtedness are a refinancing of existing bonds or indebtedness.

(b) If the authority has a bond rating from Moody's Investor Service, Inc., of better than A, or from Standard & Poor's Corporation of better than A, or equivalent ratings from those or comparable rating agencies when such rating systems or rating agencies no longer exist, the authority has provided notice to the joint committee on finance and the secretary of the department of administration of the bond rating of the authority, the amount of the proposed bonds or indebtedness, and the proposed use of the proceeds, and the joint committee on finance has not notified the authority within 30 working days after receipt of the notice that the joint committee on finance has scheduled a meeting to review the proposed bonds or indebtedness and the secretary of the department of administration has not notified the authority within 30 working days after receipt of the notice that the secretary will conduct further review of the proposed bonds or indebtedness.

(c) The joint committee on finance votes to approve the amount of the bonds or indebtedness and the secretary of the department of administration, or his or her designee, has issued written approval of the bonds or indebtedness.
**SECTION 3023t.** 233.27 of the statutes is repealed.

**SECTION 3023u.** 233.42 of the statutes is repealed.

**SECTION 3024.** 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

> 234.01 (4n) (a) 3m. e. The facility is located in a targeted area, as determined by the authority after considering the factors set out in s. 560.605 (2m) (a) to (h), 560.605 (2m) (c), 2005 stats., s. 560.605 (2m) (d), 2005 stats., s. 560.605 (2m) (e), 2005 stats., and s. 560.605 (2m) (a), (b), and (f) to (h).

**SECTION 3025.** 234.165 (2) (c) (intro.) of the statutes, as affected by 2005 Wisconsin Act 25, is amended to read:

> 234.165 (2) (c) (intro.) Surplus may be expended or encumbered only in accordance with the plan approved under par. (b), except that the authority may transfer from one plan category to another:

**SECTION 3026.** 234.165 (2) (c) (intro.) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

> 234.165 (2) (c) (intro.) Except as provided in sub. (3), surplus may be expended or encumbered only in accordance with the plan approved under par. (b), except that the authority may transfer from one plan category to another:

**SECTION 3027g.** 234.165 (3) (a) of the statutes is created to read:

> 234.165 (3) (a) For the purpose of housing grants and loans under s. 560.9803 and housing grants under s. 560.9805, in fiscal year 2007–08 the authority shall transfer to the department of commerce $2,025,000 of its actual surplus under this section and in fiscal year 2008–09 the authority shall transfer to the department of commerce $2,000,000 of its actual surplus under this section.

**SECTION 3028d.** 234.165 (3) (a) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.
SECTION 3028e. 234.165 (3) (b) of the statutes is created to read:

234.165 (3) (b) For the purpose of transitional housing grants under s. 560.9806 and for grants to agencies and shelter facilities for homeless individuals and families as provided under s. 560.9808, in fiscal year 2007–08 the authority shall transfer to the department of commerce $1,000,000 of its actual surplus under this section, and in fiscal year 2008–09 the authority shall transfer to the department of commerce $1,000,000 of its actual surplus under this section.

SECTION 3028f. 234.165 (3) (b) of the statutes, as created by 2007 Wisconsin Act .... (this act), is repealed.

SECTION 3029. 236.335 of the statutes is amended to read:

236.335 Prohibited subdividing; forfeit. No lot or parcel in a recorded plat may be divided, or used if so divided, for purposes of sale or building development if the resulting lots or parcels do not conform to this chapter, to any applicable ordinance of the approving authority or to the rules of the department of workforce development commerce under s. 236.13. Any person making or causing such a division to be made shall forfeit not less than $100 nor more than $500 to the approving authority, or to the state if there is a violation of this chapter or the rules of the department of workforce development commerce.

SECTION 3031. 250.041 (1m) of the statutes is amended to read:

250.041 (1m) If an individual who applies for or to renew a registration, license, certification, approval, permit or certificate under sub. (1) does not have a social security number, the individual, as a condition of obtaining the registration, license, certification, approval, permit or certificate, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the
department of workforce development children and families. A registration, license, certification, approval, permit or certificate issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

**SECTION 3032.** 250.041 (2) of the statutes is amended to read:

250.041 (2) The department of health and family services may not disclose any information received under sub. (1) to any person except to the department of workforce development children and families for the purpose of making certifications required under s. 49.857.

**SECTION 3033.** 250.041 (3) of the statutes is amended to read:

250.041 (3) The department of health and family services shall deny an application for the issuance or renewal of a registration, license, certification, approval, permit or certificate specified in sub. (1) or may, under a memorandum of understanding under s. 49.857 (2), suspend or restrict a registration, license, certification, approval, permit or certificate specified in sub. (1) if the department of workforce development children and families certifies under s. 49.857 that the applicant for or holder of the registration, license, certification, approval, permit or certificate is delinquent in the payment of court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings.

**SECTION 3033r.** 250.15 (2) (c) of the statutes is amended to read:
250.15 (2) (c) From the appropriation under s. 20.435 (5) (fh), the department shall award $25,000 $50,000 in each fiscal year as a grant to HealthNet of Janesville, Inc.

**SECTION 3033r.** 252.12 (2) (a) 8. of the statutes is renumbered 252.12 (2) (a) 8. (intro.) and amended to read:

252.12 (2) (a) 8. ‘Mike Johnson life care and early intervention services grants.’

(intro.) The department shall award not more than $2,569,900 $2,969,900 in fiscal year 2005–06 2007–08 and not more than $3,569,900 in fiscal year 2008–09 and each fiscal year thereafter in grants to applying organizations for the provision of needs assessments; assistance in procuring financial, medical, legal, social and pastoral services; counseling and therapy; homecare services and supplies; advocacy; and case management services. These services shall include early intervention services. The department shall also award not more than $74,000 in each year from the appropriation under s. 20.435 (7) (md) for the services under this subdivision. The state share of payment for case management services that are provided under s. 49.45 (25) (be) to recipients of medical assistance shall be paid from the appropriation under s. 20.435 (5) (am). All of the following apply to grants awarded under this subdivision:

**SECTION 3035s.** 252.12 (2) (a) 8. a. to c. of the statutes are created to read:

252.12 (2) (a) 8. a. None of the funds awarded may be used to fund AIDS programs, or to develop materials, designed to promote or encourage, directly, intravenous drug use or sexual activity, whether homosexual or heterosexual.

b. None of the funds awarded may be used for political purposes.

c. Funds awarded shall be used to provide medical care and support services for individuals with HIV.
**SECTION 3036.** 252.12 (2) (c) 1. (intro.) of the statutes is amended to read:

252.12 (2) (c) 1. (intro.) From the appropriation under s. 20.435 (3) (5) (md), the department shall award to applying nonprofit corporations or public agencies up to $75,000 in each fiscal year, on a competitive basis, as grants for services to prevent HIV. Criteria for award of the grants shall include all of the following:

**SECTION 3036m.** 252.14 (1) (d) of the statutes is amended to read:

252.14 (1) (d) “Inpatient health care facility” means a hospital, nursing home, community-based residential facility, county home, county mental health complex or other place licensed or approved by the department under s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08 or 51.09 or a facility under s. 45.50, 48.62, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.

**SECTION 3037.** 252.16 (1) (d) of the statutes is amended to read:

252.16 (1) (d) “Medicare” has the meaning given in s. 49.498 (1) (f) means coverage under part A, part B, or part D of Title XVIII of the federal Social Security Act, 42 USC 1395 to 1395hhh.

**SECTION 3038.** 252.16 (4) (a) of the statutes is amended to read:

252.16 (4) (a) Except as provided in pars. (b) and (d), if an individual satisfies sub. (3), the department shall pay the full amount of each premium payment for the individual’s health insurance coverage under the group health plan or individual health policy under sub. (3) (dm), on or after the date on which the individual becomes eligible for a subsidy under sub. (3). Except as provided in pars. (b) and (d), the department shall pay the full amount of each premium payment regardless of whether the individual’s health insurance coverage under sub. (3) (dm) includes coverage of the individual’s dependents. Except as provided in par. (b), the department shall terminate the payments under this section when the individual’s
SECTION 3038. The department may not make payments under this section for premiums for medicare, except for premiums for coverage for part D of Title XVIII of the federal Social Security Act, 42 USC 1395 to 1395hhh.

SECTION 3039. 252.241 (1m) of the statutes is amended to read:

252.241 (1m) If an individual who applies for or to renew a license under sub. (1) does not have a social security number, the individual, as a condition of obtaining the license, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A license issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

SECTION 3039r. 253.02 (4) of the statutes is created to read:

253.02 (4) The department shall collaborate with community-based organizations that serve children, adolescents, and their families to promote health and wellness, and to reduce childhood and adolescent obesity.

SECTION 3040. 253.06 (title) of the statutes is renumbered 49.17 (title).

SECTION 3041. 253.06 (1) of the statutes is renumbered 49.17 (1).

SECTION 3042. 253.06 (2) of the statutes is renumbered 49.17 (2) and amended to read:

49.17 (2) USE OF FUNDS. From the appropriation under s. 20.435 (5) 20.437 (2) (em), the department shall supplement the provision of supplemental foods, nutrition education, and other services, including nutritional counseling, to low-income women, infants, and children who meet the eligibility criteria under the federal special supplemental food program for women, infants, and children.
authorized under 42 USC 1786. To the extent that funds are available under this
section and to the extent that funds are available under 42 USC 1786, the
department shall provide the supplemental food, nutrition education, and other
services authorized under this section and shall administer that provision in every
county. The department may enter into contracts for this purpose.

SECTION 3043. 253.06 (3) of the statutes is renumbered 49.17 (3).

SECTION 3044. 253.06 (3m) of the statutes is renumbered 49.17 (3m).

SECTION 3045. 253.06 (4) of the statutes is renumbered 49.17 (4).

SECTION 3046. 253.06 (5) (title) of the statutes is renumbered 49.17 (5) (title).

SECTION 3047. 253.06 (5) (a) of the statutes is renumbered 49.17 (5) (a).

SECTION 3048. 253.06 (5) (b) of the statutes is renumbered 49.17 (5) (b).

SECTION 3049. 253.06 (5) (c) of the statutes is renumbered 49.17 (5) (c).

SECTION 3050. 253.06 (5) (d) of the statutes is renumbered 49.17 (5) (d).

SECTION 3051. 253.06 (5) (e) of the statutes is renumbered 49.17 (5) (e) and
amended to read:

49.17 (5) (e) The suspension or termination of authorization of a vendor or
eligibility of a participant shall be effective beginning on the 15th day after receipt
of the notice of suspension or termination. All forfeitures, recoupments, and
enforcement assessments shall be paid to the department within 15 days after
receipt of notice of assessment or, if the forfeiture, recoupment, or enforcement
assessment is contested under sub. (6), within 10 days after receipt of the final
decision after exhaustion of administrative review, unless the final decision is
adverse to the department or unless the final decision is appealed and the decision
is stayed by court order under sub. (7). The department shall remit all forfeitures
paid to the secretary of administration for deposit in the school fund. The
department shall deposit all enforcement assessments in the appropriation under s. 20.435 (1) 20.437 (2) (gr).

SECTION 3052. 253.06 (5) (f) of the statutes is renumbered 49.17 (5) (f).

SECTION 3053. 253.06 (6) of the statutes is renumbered 49.17 (6).

SECTION 3054. 253.06 (7) of the statutes is renumbered 49.17 (7).

SECTION 3055. 253.06 (8) of the statutes is renumbered 49.17 (8).

SECTION 3056. 253.10 (3) (d) 1. of the statutes is amended to read:

253.10 (3) (d) 1. Geographically indexed materials that are designed to inform a woman about public and private agencies, including adoption agencies, and services that are available to provide information on family planning, as defined in s. 253.07 (1) (a), including natural family planning information, to provide ultrasound imaging services, to assist her if she has received a diagnosis that her unborn child has a disability or if her pregnancy is the result of sexual assault or incest and to assist her through pregnancy, upon childbirth and while the child is dependent. The materials shall include a comprehensive list of the agencies available, a description of the services that they offer and a description of the manner in which they may be contacted, including telephone numbers and addresses, or, at the option of the department, the materials shall include a toll-free, 24-hour telephone number that may be called to obtain an oral listing of available agencies and services in the locality of the caller and a description of the services that the agencies offer and the manner in which they may be contacted. The materials shall provide information on the availability of governmentally funded programs that serve pregnant women and children. Services identified for the woman shall include medical assistance for pregnant women and children under s. 49.47 (4) (am) and 49.471, the availability of family or medical leave under s. 103.10, the Wisconsin
works program under ss. 49.141 to 49.161, child care services, child support laws and
programs and the credit for expenses for household and dependent care and services
necessary for gainful employment under section 21 of the internal revenue code. The
materials shall state that it is unlawful to perform an abortion for which consent has
been coerced, that any physician who performs or induces an abortion without
obtaining the woman’s voluntary and informed consent is liable to her for damages
in a civil action and is subject to a civil penalty, that the father of a child is liable for
assistance in the support of the child, even in instances in which the father has
offered to pay for an abortion, and that adoptive parents may pay the costs of
prenatal care, childbirth and neonatal care. The materials shall include
information, for a woman whose pregnancy is the result of sexual assault or incest,
on legal protections available to the woman and her child if she wishes to oppose
establishment of paternity or to terminate the father’s parental rights. The
materials shall state that fetal ultrasound imaging and auscultation of fetal heart
tone services are obtainable by pregnant women who wish to use them and shall
describe the services.

SECTION 3059. 253.15 (2) of the statutes is amended to read:

253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or
arrange with a nonprofit organization to prepare printed and audiovisual materials
relating to shaken baby syndrome and impacted babies. The materials shall include
information regarding the identification and prevention of shaken baby syndrome
and impacted babies, the grave effects of shaking or throwing on an infant or young
child, appropriate ways to manage crying, fussing, or other causes that can lead a
person to shake or throw an infant or young child, and a discussion of ways to reduce
the risks that can lead a person to shake or throw an infant or young child. The
materials shall be prepared in English, Spanish, and other languages spoken by a
significant number of state residents, as determined by the board. The board shall
make those written and audiovisual materials available to all hospitals, maternity
homes, and nurse-midwives licensed under s. 441.15 that are required to provide or
make available materials to parents under sub. (3) (a) 1., to the department and to
all county departments and nonprofit organizations that are required to provide the
materials to day care providers under sub. (4), and to all school boards and nonprofit
organizations that are permitted to provide the materials to pupils in one of grades
5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make those
written materials available to all county departments and Indian tribes that are
providing home visitation services under s. 46.515 48.983 (4) (b) 1. or 2. and to all
providers of prenatal, postpartum, and young child care coordination services under
s. 49.45 (44). The board may make available the materials required under this
subsection to be made available by making those materials available at no charge on
the board’s Internet site.

SECTION 3061. 253.15 (6) of the statutes is amended to read:

253.15 (6) INFORMATION TO HOME VISITATION OR CARE COORDINATION SERVICES
RECIPIENTS. A county department or Indian tribe that is providing home visitation
services under s. 46.515 48.983 (4) (b) 1. or 2. and a provider of prenatal, postpartum,
and young child care coordination services under s. 49.45 (44) shall provide to a
recipient of those services, without cost, a copy of the written materials purchased
or prepared under sub. (2) and an oral explanation of those materials.

SECTION 3063. 253.15 (7) (e) of the statutes is amended to read:

253.15 (7) (e) A county department or Indian tribe that is providing home
visitation services under s. 46.515 48.983 (4) (b) 1. or 2. and a provider of prenatal,
postpartum, and young child care coordination services under s. 49.45 (44) is
immune from liability for any damages resulting from any good faith act or omission
in providing or failing to provide the written materials and oral explanation specified
in sub. (6).

SECTION 3065. 253.15 (8) of the statutes is amended to read:

253.15 (8) IDENTIFICATION OF SHAKEN OR IMPACTED BABIES. The department of
health and family services shall identify all infants and young children who have
shaken baby syndrome or who are impacted babies and all infants and young
children who have died as a result of being shaken or thrown by using the statewide
automated child welfare information system established under s. 46.03 (7) (g) s.
46.03 (7g) 48.47 (7g) and child fatality information compiled by the department of
justice. For each infant or young child so identified, the department of health and
family services shall document the age, sex, and other characteristics of the infant
or young child that are relevant to the prevention of shaken baby syndrome and
impacted babies and, if known, the age, sex, employment status, and residence of the
person who shook or threw the infant or young child, the relationship of that person
to the infant or young child, and any other characteristics of that person that are
relevant to the prevention of shaken baby syndrome and impacted babies.

SECTION 3066. 254.115 (1m) of the statutes is amended to read:

254.115 (1m) If an individual who applies for or to renew a certification,
certification card or permit under sub. (1) does not have a social security number, the
individual, as a condition of obtaining the certification, certification card or permit,
shall submit a statement made or subscribed under oath or affirmation to the
department that the applicant does not have a social security number. The form of
the statement shall be prescribed by the department of workforce development.
children and families. A certification, certification card or permit issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

**SECTION 3067.** 255.06 (4) of the statutes is created to read:

255.06 (4) **INFORMATION ABOUT WOMEN WHO RECEIVE SERVICES.** The department shall obtain and share information about women who receive services that are reimbursed under this section as provided in s. 49.475.

**SECTION 3070p.** Chapter 279 of the statutes is created to read:

**CHAPTER 279**

**LOWER FOX RIVER**

**REMEDIATION AUTHORITY**

**279.01 Definitions.** In this chapter:

(1) “Affected property” means real property in this state that is owned by a person who, with respect to the property, is responsible for waterway improvement costs due to discharges from the property into the Fox River extending from Lake Winnebago to the mouth of the river in Lake Michigan and any portion of Green Bay in Lake Michigan containing sediments affected by discharges into the Fox River.

(2) “Authority” means the Lower Fox River Remediation Authority.

(3) “Board” means the board of directors of the authority.

(4) “Bond” means, except in s. 279.19 (1) (a), a bond, note, or other obligation of the authority issued under this chapter, including a refunding bond.

(5) “Bond resolution” means a resolution of the board authorizing the issuance of, or providing terms and conditions related to, bonds and includes, when appropriate, any trust agreement or trust indenture providing terms and conditions for the bonds.
“Consenting landowner” means a person who owns affected property, or a parent or subsidiary of such a person, who requests the authority to issue bonds for waterway improvement costs, and who consents to the levy of an assessment on the affected property.

“Waterway improvement” means any of the following actions, taken under an administrative or judicial order or decree or an administratively or judicially approved agreement, related to discharges into the Fox River:

(a) Determining whether a discharge occurred, whether the discharge poses a significant threat to human health and the environment, or whether additional remedial actions may be required with respect to a discharge.
(b) Conducting a feasibility study.
(c) Planning for remedial action or removal.
(d) Conducting remedial action or removal.

“Waterway improvement costs” means the costs of waterway improvements and any of the following:

(a) The reasonable costs of financing provided by the authority and associated administrative costs incurred by the authority.
(b) The fees and charges imposed by the authority or by others in connection with the financing.
(c) A reserve for payment of the principal and interest on bonds issued by the authority.

279.02 Creation and organization. (1) There is created a public body politic and corporate to be known as the “Lower Fox River Remediation Authority.” The board shall consist of 7 members nominated by the governor, and with the advice and consent of the senate appointed, for 7–year terms. Members of the board shall be
residents of the state, and not more than 4 of the members may be members of the
same political party. The terms of the members expire on June 30. Each member’s
appointment remains in effect until a successor is appointed. Annually, the governor
shall appoint one member as chairperson and the board shall elect one member as
vice chairperson.

(2) The board shall appoint an executive director and may appoint an associate
executive director who may not be members of the board and who shall serve at the
pleasure of the board. The board shall determine the compensation of the executive
director and any associate executive director, except that the compensation of the
executive director may not exceed the maximum of the salary range established
under s. 20.923 (1) for positions assigned to executive salary group 4 and the
compensation of each other employee of the authority may not exceed the maximum
of the salary range established under s. 20.923 (1) for positions assigned to executive
salary group 3. The executive director, associate executive director, or other person
designated by resolution of the board shall keep a record of the proceedings of the
authority and shall be custodian of all books, documents, and papers filed with the
authority, the minute book or journal of the authority, and its official seal. The
executive director, associate executive director, or other person may cause copies to
be made of all minutes and other records and documents of the authority and may
give certificates under the official seal of the authority to the effect that the copies
are true copies, and all persons dealing with the authority may rely upon the
certificates.

(3) Four members of the board constitute a quorum. The affirmative vote of
a majority of all of the members of the board is necessary for any action taken by the
authority. A vacancy in the membership of the board does not impair the right of a
quorum to exercise all of the rights and perform all of the duties of the authority. Each meeting of the board shall be open to the public. Notice of meetings, or waivers thereof, shall be as provided in the bylaws of the authority. Resolutions of the authority need not be published or posted. The board may delegate by resolution to one or more of its members or the executive director the powers and duties that it considers proper.

(4) The members of the board shall receive no compensation for the performance of their duties as members, but each member shall be reimbursed for the member’s actual and necessary expenses while engaged in the performance of the member’s duties.

(5) (a) It is not a conflict of interest or violation of this chapter for a trustee, director, officer, or employee of a consenting landowner to serve as a member of the board if the trustee, director, officer, or employee of the consenting landowner abstains from discussion, deliberation, action, and vote by the board in specific respect to any undertaking under this chapter in which the consenting landowner has an interest.

(b) It is not a conflict of interest or violation of this chapter for a person having the required favorable reputation for skill, knowledge, and experience in state and municipal finance to serve as a member of the board if the person having the required favorable reputation for skill, knowledge, and experience in state and municipal finance abstains from discussion, deliberation, action, and vote by the board in specific respect to any sale, purchase, or ownership of bonds of the authority in which any business of which the person is a participant, owner, officer, or employee has a past, current, or future interest.
(c) It is not a conflict of interest or violation of this chapter for a person having
the required favorable reputation for skill, knowledge, and experience in the field of
environmental remediation to serve as a member of the board if the person having
the required favorable reputation for skill, knowledge, and experience in the field of
environmental remediation abstains from discussion, deliberation, action, and vote
by the board in specific respect to a waterway improvement in which any business
of which the person is a participant, owner, officer, or employee has a past, current,
or future interest.

(6) Chapter 230 does not apply to the employees of the authority, except that
s. 230.40 does apply to the employees of the authority.

279.03 Powers of authority. The authority has all of the powers necessary
or convenient to carry out the purposes and provisions of this chapter. In addition,
the authority may do any of the following:

(1) Adopt bylaws, policies, and procedures for the regulation of its affairs and
the conduct of its business.

(2) Adopt an official seal and alter the seal at pleasure.

(3) Maintain an office.

(4) Sue and be sued in its own name, plead and be impleaded.

(5) Enter into any contracts that are necessary or useful for the conduct of its
business.

(6) Employ or contract with attorneys, accountants, and financial experts and
any other necessary employees or agents, and fix the compensation of employees,
subject to 279.02 (2).
(7) Appoint any technical or professional advisory committee that the authority finds necessary, define the duties of any committee, and provide reimbursement for the expenses of any committee.

(8) Accept contributions or grants in money, property, labor, or other things of value and comply with any restrictions on the use of the contributions or grants.

(9) Obtain or aid in obtaining, from any department or agency of the United States or of this state or from any private company, any insurance or guaranty concerning the payment or repayment of all or part of the interest or principal, or both, on any bond issued under this chapter; and enter into any agreement, contract, or other instrument with respect to that insurance or guaranty, accept payment in the manner and form provided in such an agreement in case of default in payment of the bonds, and assign the insurance or guaranty as security for the authority’s bonds.

279.04 Expenses. (1) All expenses of the authority are payable solely from funds obtained under the authority of this chapter, and no liability may be incurred by the authority beyond the extent to which moneys are obtained under this chapter. For the purposes of meeting the necessary expenses of initial organization and operation of the authority until the authority derives moneys from funds provided to it under the authority of this chapter, other than this section, the authority may use the funds appropriated under s. 20.375 (1) (a).

(2) The authority shall apportion among and assess to consenting landowners, in an equitable manner, an amount equal to the amount expended from the appropriation under s. 20.375 (1) (a) and pay that amount to the department of administration for deposit in the general fund.
279.05 Application for bond issuance. (1) One or more owners of affected property may submit an application requesting the authority to issue bonds to finance all or a portion of the waterway improvement costs associated with the affected property. An application under this subsection shall include all of the following:

(a) A copy of an administrative or judicial order or decree or an administratively or judicially approved agreement that imposes financial responsibility for a waterway improvement on the applicant or applicants.

(b) An acknowledgement by the applicant or applicants that the waterway improvement will confer a benefit on the affected property.

(c) The consent of the applicant or applicants to the levy of an assessment by the authority on the affected property at the times and in the amounts that the authority determines.

(d) A waiver by the applicant or applicants of any requirement for notice and hearing and of any right to oppose the levy of the assessment.

(2) A consenting land owner who submits an application under sub. (1) may recommend to the authority an underwriter for the bonds that the owner of affected property requests the authority to issue.

279.06 Approval of application and issuance of bonds. (1) The board may approve an application under s. 279.05 (1) if the application complies with s. 279.05 (1) and if the authority makes a determination that the waterway improvement will last for many years and will result in long-term benefits to this state. The authority may issue bonds as provided in this section and s. 279.07 to finance all or a portion of the waterway improvement to which an approved application relates.
(2) The authority shall notify the department of natural resources of its action on an application under s. 279.05 (1) at the same time that it notifies the applicant or applicants.

(3) All of the authority’s bonds are negotiable for all purposes, notwithstanding their payment from a limited source.

(4) The authority shall use the building commission as its financial consultant to assist in and coordinate the issuance of bonds under this chapter.

(5) The bonds of each issue shall be payable solely out of a special fund into which the authority deposits the assessments imposed by the authority against the affected property with respect to which the bonds are issued.

(6) The authority may not issue bonds unless the issuance is authorized by a bond resolution. The bonds shall bear the dates; mature at the times not exceeding 30 years from their dates of issue; bear interest at the rates, fixed or variable; be payable at the times; be in the denominations; be in fully registered form; carry the registration and conversion privileges; be executed in the manner; be payable in money of the United States at the places; and be subject to the terms of redemption that the bond resolution provides. The bonds shall be executed by the manual or facsimile signatures of the officers of the authority designated by the board. The bonds may be sold at public or private sale at the price, in the manner, and at the time determined by the board. The bonds may be issued as serial bonds payable in annual installments, as term bonds, or as a combination of both types.

(7) Any bond resolution may contain provisions, that shall be a part of the contract with the holders of the bonds, regarding any of the following:

(a) Setting aside reserves or sinking funds, and the regulation, investment, and disposition of the reserves or sinking funds.
(b) Limitations on the purpose to which, or the investments in which, the proceeds of the sale of any issue of bonds may be applied.

(c) Refunding of outstanding bonds.

(d) Procedures by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent to the amendment or abrogation, and the manner in which this consent may be given.

(e) Defining the acts or omissions to act that constitute a default in the duties of the authority to the bondholders, and providing the rights and remedies of the bondholders in the event of a default.

(f) Any other matter relating to the bonds that the board considers desirable.

(8) Neither the members of the board nor any person executing the bonds of the authority is liable personally on the bonds or subject to any personal liability or accountability by reason of the issuance of the bonds.

(9) (a) The authority shall pay the net proceeds of bonds issued under this section to the entity to which moneys for waterway improvements are required to be paid by the administrative or judicial order or decree or administratively or judicially approved agreement described in s. 279.05 (1) (a).

(b) An entity that receives moneys under par. (a) may use those moneys only for the waterway improvement costs for which the bonds are issued. If the actual waterway improvement costs to be paid from the authority’s bonds are less than the assessments levied by the authority, the entity shall return the excess to the authority.

279.07 Assessments. (1) Before it issues bonds, the authority shall follow the procedures in this section for levying an assessment on the affected property of any consenting landowner whose application for issuance of the bonds is approved under
s. 279.06 (1). The consenting landowner shall pay the assessment to the authority. An assessment under this section is a lien against the affected property. The authority shall provide notice of the lien of assessment to the register of deeds of the county in which the affected property is located for recording.

(2) The assessment levied with respect to a bond issue shall be sufficient to do all of the following:

(a) Pay the share of the administrative costs of the authority that is allocated to the bond issue.

(b) Pay the costs of any financial and legal services incurred by the authority and any other item of direct or indirect cost that may reasonably be attributed to processing the application under s. 279.05 (1), issuing the bonds, and imposing the assessment on the affected property.

(c) Pay the principal of and the premium, if any, and interest on the bonds as they become due and payable.

(d) Create and maintain any reserve that is required or provided for in the bond resolution.

(3) If the authority assesses more than one consenting landowner in connection with a bond issue, it shall determine the amount to be assessed on the affected property of each consenting landowner in a manner that is consistent with the administrative or judicial order or decree or administratively or judicially approved agreement described in s. 279.05 (1) (a) and that considers such factors as present and past capacity for discharges; estimates of actual discharges; the degree of toxicity and water quality characteristics of past and present discharges; involvement in the generation, treatment, transportation, storage, or disposal of
discharged substances; the degree of care exercised in reducing discharges; and the amount of impervious surface on each affected property.

(4) Before finalizing its determination of the amount of the assessment to be levied on affected property under this section, the board shall pass a preliminary resolution declaring its intent with respect to the assessment. In the resolution, the board shall include all of the following:

(a) A general description of the contemplated purpose of the assessment.

(b) A description of the affected property proposed to be assessed.

(c) The number of installments in which the assessments may be paid or a statement that the number of payments will be determined at the hearing required under sub. (8).

(d) A direction to an officer or employee of the authority to make a report on the proposed assessment.

(5) The officer or employee directed to make a report under sub. (4) (d) shall include all of the following in the report:

(a) A reference to the administrative or judicial order or decree or administratively or judicially approved agreement described in s. 279.05 (1) (a).

(b) A schedule of the proposed assessments.

(c) An estimate, as to each affected property, of the assessment to be levied.

(6) The officer or employee making the report under sub. (5) shall file a copy of the report with the authority for public inspection.

(7) After the report has been filed under sub. (6), the authority shall publish a class 1 notice, under ch. 985, that describes all of the following:

(a) The affected property that is proposed to be assessed.

(b) The place and time at which the report may be inspected.
(c) The place and time at which all interested persons or their agents or attorneys may appear before the authority and be heard concerning the matters contained in the preliminary resolution and the report.

(8) The authority shall conduct a hearing concerning the levying of a proposed assessment not less than 10 days and not more than 40 days after publishing the notice under sub. (7).

(9) After the hearing under sub. (8), the board may approve, disapprove, or modify the report under sub. (6) or it may refer the report to the designated officer or employee of the authority with directions to change the proposal to accomplish a fair and equitable assessment.

(10) After approving a report under sub. (9), the authority shall adopt a resolution specifying the amount of the assessments, authorizing the issuance of bonds, and directing that the net proceeds of the bonds be paid as provided in s. 279.06 (9) (a). The authority shall publish the resolution as a class 1 notice, under ch. 985. After publication of the resolution, the authority shall levy the assessments and issue the bonds.

(11) If the actual waterway improvement costs to be paid from a bond issue vary materially from the estimates, if any assessment is invalid, or if the board decides to reopen and reconsider any assessment, it may, after publishing a class 1 notice, under ch. 985, that describes its proposed action and after a public hearing, adopt a resolution amending, canceling, or confirming the prior assessment. If an assessment is amended to provide for the refunding of bonds, all of the direct and indirect costs reasonably attributable to the refunding of the bonds may be included in the amended assessment. If moneys are returned to the authority under s. 279.06 (9) (b), the authority may pay a portion of the outstanding bonds and reduce each
assessment proportionately. The authority shall publish a class 1 notice, under ch. 985, describing the resolution amending, canceling, or confirming the prior assessment.

(12) After the 90th day after the day on which a bond is issued under this chapter, the bond is conclusive evidence of the legality of all proceedings up to and including the issuance of the bond and is prima facie evidence of the proper application of the proceeds of the bond.

279.08 Bond security. (1) The authority may enter into a trust agreement or trust indenture between the authority and one or more corporate trustees for any bonds issued under this chapter. Any trust company or bank having the powers of a trust company may be a trustee.

(2) The bond resolution providing for the issuance of bonds shall pledge the assessments to be received by the authority with respect to the bonds referred to in the bond resolution. The pledge is valid and binding from the time that the resolution is adopted. The revenues pledged are immediately subject to the lien of the pledge without any physical delivery or any further act. The lien is valid and binding as against all persons having claims in tort, contract, or otherwise against the authority, irrespective of whether the persons have notice of the lien. Neither the bond resolution nor any financing statement, continuation statement, or other instrument by which a pledge is created or by which the authority’s interest in revenues is assigned need be filed or recorded in any public records in order to perfect the lien of the pledge as against 3rd parties, except that the authority shall file a copy of the instrument in the records of the authority and with the department of financial institutions.
(3) A bond resolution may contain provisions for protecting and enforcing the rights and remedies of the bondholders that are reasonable and proper and not in violation of law. A bond resolution may restrict the individual right of action by bondholders. A bond resolution may contain any other provisions that are determined by the board to be reasonable and proper for the security of the bondholders.

279.09 Refunding bonds. (1) The authority may issue bonds to refund any outstanding bond, including the payment of any redemption premium on the outstanding bond and any interest accrued or to accrue to the earliest or any subsequent date of redemption, purchase, or maturity.

(2) The authority may apply the proceeds of any bond issued to refund any outstanding bond to the purchase, retirement at maturity, or redemption of the outstanding bond on the earliest or any subsequent redemption date, upon purchase, or at the maturity of the bond. The authority may, pending application of the proceeds, place the proceeds in escrow to be applied to the purchase, retirement at maturity, or redemption of any outstanding bond at any time.

(3) If the authority determines that it is necessary to amend the prior assessments in connection with the issuance of refunding bonds under this section, it may reconsider and reopen the assessments as provided in s. 279.07 (11). If the assessments are amended, the refunding bonds shall be secured by, and be payable from, the assessments as amended. If the assessments are amended, all direct and indirect costs reasonably attributable to the refunding of the bonds may be included in the cost of the waterway improvements being financed.

(4) All refunding bonds are subject to this chapter in the same manner and to the same extent as other bonds issued under this chapter.
279.10 Bonds not public debt. (1) The state is not liable on bonds of the authority and the bonds are not debt of the state. Each bond of the authority shall contain a statement to this effect on the face of the bond. The issuance of bonds under this chapter does not, directly, indirectly, or contingently, obligate the state or any political subdivision of the state to levy any tax or to make any appropriation for payment of the bonds. The authority may not pledge its full faith and credit to the payment of bonds issued under this chapter.

(2) Nothing in this chapter authorizes the authority to create a debt of the state, and all bonds issued by the authority under this chapter are payable, and shall state that they are payable, solely from the special fund containing the assessments and other moneys pledged for their payment in accordance with the bond resolution authorizing their issuance or in any trust agreement or trust indenture entered into to provide terms and conditions for the bonds. The state is not liable for the payment of the principal or interest on any bonds of the authority or for the performance of any pledge, obligation, or agreement that is undertaken by the authority. The breach of any pledge, obligation, or agreement undertaken by the authority does not impose any pecuniary liability upon the state or any charge upon its general credit or against its taxing power.

279.11 State pledge. The state pledges to and agrees with the holders of bonds issued under this chapter, and with persons that enter into contracts with the authority under this chapter, that the state will not limit or alter the rights vested in the authority before the authority has fully met and discharged the bonds, including any interest due on the bonds, and has fully performed its contracts, unless adequate provision is made by law for the protection of the bondholders or persons entering into contracts with the authority.
279.17 Trust funds. All moneys received by the authority, whether as proceeds from the sale of bonds or as assessments or fees, shall be considered to be trust funds to be held and applied solely as provided in this chapter. Any officer with whom, or any bank or trust company with which, those moneys are deposited shall act as trustee of the moneys and shall hold and apply the moneys for the purposes of this chapter, subject to any regulations that this chapter and the bond resolution authorizing the bonds of any issue provide.

279.18 Rights of bondholders. Any holder of bonds issued under this chapter or trustee under a trust agreement, trust indenture, or deed of trust entered into under this chapter may, by any suitable form of legal proceedings, protect and enforce any rights under the laws of this state or granted by the bond resolution, except to the extent that the rights of the bondholder or trustee are restricted by the bond resolution. These rights include the right to compel the performance of all duties of the authority required by this chapter or the bond resolution; to enjoin unlawful activities; and in the event of default with respect to the payment of any principal of and the premium, if any, and interest on any bond or in the performance of any covenant or agreement on the part of the authority in the bond resolution, to apply to a court to appoint a receiver with full power to pay, and to provide for payment of, principal of and premium, if any, and interest on the bonds, and with the powers, subject to the direction of the court, as are permitted by law and are accorded receivers, excluding any power to pledge additional revenues of the authority to the payment of the principal, premium, and interest.

279.19 Investment of funds. (1) The authority may invest any funds in any of the following:
(a) Bonds, notes, certificates of indebtedness, treasury bills, or other securities constituting direct obligations of the United States or obligations the principal and interest of which are guaranteed by the United States.

(b) Certificates of deposit or time deposits constituting direct obligations of any bank that are insured by the federal deposit insurance corporation.

(c) Certificates of deposit constituting direct obligations of any credit union that are insured by the national board, as defined in s. 186.01 (3m).

(d) Certificates of deposit constituting direct obligations of any savings and loan association or savings bank that are insured by the federal deposit insurance corporation.

(e) Short-term discount obligations of the federal national mortgage association.

(f) Any of the investments provided under s. 66.0603 (1m) (a).

(2) Any securities described in sub. (1) may be purchased at the offering or market price of the securities at the time of purchase.

279.20 Investment authorization. The bonds of the authority are securities in which all public officers and bodies of this state; all political subdivisions and their public officers; all banks, trust companies, savings banks and institutions, savings and loan associations, and investment companies; and all personal representatives, guardians, trustees, and other fiduciaries may legally invest any sinking funds, moneys, or other funds belonging to them or within their control.

279.21 Reports and records. (1) The authority shall keep an accurate account of all of its activities and of all of its receipts and expenditures, and shall annually in January make a report of its activities, receipts, and expenditures to the governor and to the chief clerk of each house of the legislature, for distribution to the
legislature under s. 13.172 (2). The reports shall be in a form approved by the state
auditor. The state auditor may investigate the affairs of the authority, may examine
the property and records of the authority, and may prescribe methods of accounting
and the rendering of periodical reports in relation to activities undertaken by the
authority.

(2) The authority, annually on January 15, shall file with the department of
administration and the joint legislative council a complete and current listing of all
forms, reports, and papers required by the authority to be completed by any person,
other than a governmental body, as a condition of obtaining the approval of the
authority or for any other reason. The authority shall attach a blank copy of each
such form, report, or paper to the listing.

Section 3074. 281.59 (3e) (b) 1. and 3. of the statutes are amended to read:

281.59 (3e) (b) 1. Equal to $109,600,000 $114,700,000 during the 2005–07
2007–09 biennium.

3. Equal to $1,000 for any biennium after the 2005–07 2007–09 biennium.

Section 3075. 281.59 (3m) (b) 1. and 2. of the statutes are amended to read:

281.59 (3m) (b) 1. Equal to $2,700,000 during the 2005–07 2007–09 biennium.

2. Equal to $1,000 for any biennium after the 2005–07 2007–09 biennium.

Section 3076. 281.59 (3s) (b) 1. and 2. of the statutes are amended to read:

281.59 (3s) (b) 1. Equal to $12,800,000 $13,400,000 during the 2005–07
2007–09 biennium.

2. Equal to $1,000 for any biennium after the 2005–07 2007–09 biennium.

Section 3077. 281.59 (4) (b) of the statutes is amended to read:

281.59 (4) (b) The department of administration may, under s. 18.561 or 18.562,
deposit in a separate and distinct fund in the state treasury or in an account
maintained by a trustee outside the state treasury, any portion of the revenues
derived under s. 25.43 (1). The revenues deposited with a trustee outside the state
treasury are the trustee’s revenues in accordance with the agreement between this
state and the trustee or in accordance with the resolution pledging the revenues to
the repayment of revenue obligations issued under this subsection and to make
payments under an agreement or ancillary arrangement entered into under s. 18.55
(6) with respect to revenue obligations issued under this subsection.

SECTION 3078. 281.59 (4) (f) of the statutes is amended to read:

281.59 (4) (f) Revenue obligations may be contracted by the building
commission when it reasonably appears to the building commission that all
obligations incurred under this subsection, and all payments under an agreement or
ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
obligations issued under this subsection, can be fully paid on a timely basis from
moneys received or anticipated to be received. Revenue obligations issued under this
subsection for the clean water fund program shall not exceed $1,615,955,000
$1,984,100,000 in principal amount, excluding obligations issued to refund
outstanding revenue obligation notes.

SECTION 3079. 281.65 (4e) of the statutes is created to read:

281.65 (4e) (a) A governmental unit may request funding under this subsection
for a project to implement best management practices for animal waste management
at an animal feeding operation for which the department has issued a notice of
discharge under ch. 283.

(b) The department may grant a request under par. (a) if it determines that
providing funding under this subsection is necessary to protect fish and aquatic life.

(c) Subsection (8) (d) does not apply to a grant under this subsection.
SECTION 3080. 281.65 (8) (f) of the statutes is amended to read:

281.65 (8) (f) A cost-sharing grant shall equal the percentage of the cost of implementing the best management practice that is determined by the governmental unit submitting the application under sub. (4c) (a) or (4e) (a) and is approved by the board, except as provided under pars. (gm) and (jm) and except that a cost-sharing grant may not exceed 70% of the cost of implementing the best management practice.

SECTION 3081. 281.65 (8) (gm) of the statutes is amended to read:

281.65 (8) (gm) The governmental unit submitting the application under sub. (4c) (a) or (4e) (a) shall exceed the limit under par. (f) in cases of economic hardship, as defined by the department by rule.

SECTION 3081pb. 281.75 (title) of the statutes is amended to read:

281.75 (title) Compensation for well contamination and abandonment.

SECTION 3081pc. 281.75 (1) (h) of the statutes is amended to read:

281.75 (1) (h) “Well,” if not followed by the words, “subject to abandonment,” means an excavation or opening in the ground made by boring, drilling or driving for the purpose of obtaining a supply of groundwater. “Well” does not include dug wells.

SECTION 3081pd. 281.75 (1) (i) of the statutes is created to read:

281.75 (1) (i) “Well subject to abandonment” means a well that is required to be abandoned under s. NR 812.26 (2) (a), Wis. Adm. Code, or that the department may require to be abandoned under s. NR 812.26 (2) (b), Wis. Adm. Code.

SECTION 3081pe. 281.75 (2) (f) of the statutes is created to read:

281.75 (2) (f) Establish requirements for the filling and sealing of wells subject to abandonment.
**SECTION 3081pf.** 281.75 (3) (a) of the statutes is renumbered 281.75 (3) and
amended to read:

281.75 (3) Wells for which a claim may be submitted, sunset date. A claim
may be submitted for a private water supply which, at the time of submitting the
claim, is contaminated or for a well subject to abandonment.

**SECTION 3081pg.** 281.75 (3) (b) of the statutes is repealed.

**SECTION 3081ph.** 281.75 (4) (a) of the statutes is amended to read:

281.75 (4) (a) Except as provided under par. (b), a landowner or lessee of
property on which is located a contaminated private water supply or a well subject
to abandonment, or the spouse, dependent, heir, assign or legal representative of the
landowner or lessee, may submit a claim under this section.

**SECTION 3081pi.** 281.75 (4m) (a) of the statutes is amended to read:

281.75 (4m) (a) In order to be eligible for an award under this section, the
annual family income of the landowner or lessee of property on which is located a
contaminated water supply or a well subject to abandonment may not exceed
$65,000.

**SECTION 3081pj.** 281.75 (5) (b) 1. of the statutes is amended to read:

281.75 (5) (b) 1. Test results which show that the private water supply is
contaminated, as defined under sub. (1) (b) 1. or 2., or information to show that the
private water supply is contaminated as defined under sub. (1) (b) 3., or information
to show that the well is a well subject to abandonment;

**SECTION 3081pk.** 281.75 (5) (b) 2. of the statutes is amended to read:

281.75 (5) (b) 2. Any If the claim is based on a contaminated private water
supply, any information available to the claimant regarding possible sources of
contamination of the private water supply; and
SECTION 3081pL. 281.75 (5) (d) 1. of the statutes is amended to read:

281.75 (5) (d) 1. Enter the property where the private water supply or well subject to abandonment is located during normal business hours and conduct any investigations or tests necessary to verify the claim; and

SECTION 3081pm. 281.75 (5) (d) 2. of the statutes is amended to read:

281.75 (5) (d) 2. Cooperate If the claim is based on a contaminated private water supply, cooperate with the state in any administrative, civil or criminal action involving a person or activity alleged to have caused the private water supply to become contaminated.

SECTION 3081pn. 281.75 (5) (e) of the statutes is amended to read:

281.75 (5) (e) The department shall consolidate claims if more than one claimant submits a claim for the same private water supply or for the same well subject to abandonment.

SECTION 3081pq. 281.75 (7) (a) of the statutes is amended to read:

281.75 (7) (a) If the department finds that the claimant meets all the requirements of this section and rules promulgated under this section and that the private water supply is contaminated or that the well is a well subject to abandonment, the department shall issue an award. The award may not pay more than 75% of the eligible costs. The award may not pay any portion of eligible costs in excess of $12,000.

SECTION 3081pr. 281.75 (7) (c) 1. of the statutes is amended to read:

281.75 (7) (c) 1. The If the claim is based on a contaminated private water supply, the cost of obtaining an alternate water supply;

SECTION 3081ps. 281.75 (7) (c) 2. (intro.) of the statutes is amended to read:
If the claim is based on a contaminated private water supply, the cost of any one of the following:

**SECTION 3081pt.** 281.75 (7) (c) 3. of the statutes is amended to read:

281.75 (7) (c) 3. The cost of abandoning a contaminated private water supply, if a new private water supply is constructed or, if connection to a public or private water supply is provided, or if the claim is based on a well subject to abandonment;

**SECTION 3081pu.** 281.75 (7) (c) 4. of the statutes is amended to read:

281.75 (7) (c) 4. The cost of obtaining 2 tests to show that the private water supply was contaminated if the claim is based on a contaminated private water supply and the cost of those tests was originally paid by the claimant;

**SECTION 3081pv.** 281.75 (7) (c) 5. of the statutes is amended to read:

281.75 (7) (c) 5. Purchasing The cost of purchasing and installing a pump, if the claim is based on a contaminated private water supply and a new pump is necessary for the new or reconstructed private water supply; and

**SECTION 3081pw.** 281.75 (7) (c) 6. of the statutes is amended to read:

281.75 (7) (c) 6. Relocating If the claim is based on a contaminated private water supply, the cost of relocating pipes, as necessary, to connect the replacement water supply to the buildings served by it.

**SECTION 3081px.** 281.75 (7) (c) 7. of the statutes is amended to read:

281.75 (7) (c) 7. If the claim is based on a contaminated water supply that is eligible under sub. (11) (ae), the cost of properly abandoning any improperly abandoned private water supply located on the property owned or leased by the claimant.

**SECTION 3081py.** 281.75 (8) (intro.) of the statutes is renumbered 281.75 (8) and amended to read:
281.75 (8) Copayment. The department shall require a payment by the claimant equal to the total of the following: copayment of $250 unless the claim is solely for well abandonment.

Section 3081pz. 281.75 (8) (a) and (b) of the statutes are repealed.

Section 3081qb. 281.75 (11) (a) 4. of the statutes is amended to read:

281.75 (11) (a) 4. One If the claim is based on a contaminated private water supply, one or more of the contaminants upon which the claim is based was introduced into the well through the plumbing connected to the well.

Section 3081qc. 281.75 (11) (a) 5. of the statutes is amended to read:

281.75 (11) (a) 5. One If the claim is based on a contaminated private water supply, one or more of the contaminants upon which the claim is based was introduced into the well intentionally by a claimant or a person who would be directly benefited by payment of the claim.

Section 3081qd. 281.75 (11) (a) 6. of the statutes is amended to read:

281.75 (11) (a) 6. All If the claim is based on a contaminated private water supply, all of the contaminants upon which the claim is based are naturally occurring substances and the concentration of the contaminants in water produced by the well does not significantly exceed the background concentration of the contaminants in groundwater at that location.

Section 3081qe. 281.75 (11) (a) 7. of the statutes is amended to read:

281.75 (11) (a) 7. Except as provided in sub. (14), an award has been made under this section within the previous 10 years for the parcel of land where the private water supply is located and the claim is based on a contaminated private water supply.

Section 3081qf. 281.75 (11) (a) 8. of the statutes is amended to read:
If the claim is based on a contaminated private water supply, the contaminated private water supply is a residential water supply, is contaminated by bacteria or nitrates or both, and is not contaminated by any other substance, except as provided in par. (ae).

**SECTION 3081qg.** 281.75 (11) (a) 9. of the statutes is amended to read:

If the claim is based on a contaminated private water supply, the contaminated private water supply is a livestock water supply, is contaminated by bacteria, and is not contaminated by any other substance.

**SECTION 3081qh.** 281.75 (11) (b) (title) of the statutes is amended to read:

Limits on awards for contaminated wells; purposes.

**SECTION 3081qi.** 281.75 (11) (d) (title) of the statutes is amended to read:

Limits on awards for contaminated wells; amount.

**SECTION 3081qj.** 281.75 (17) (a) of the statutes is amended to read:

A claim based on a contaminated private water supply may be submitted irrespective of the time when the contamination is or could have been discovered in the private water supply. A claim may be submitted for contamination which commenced before May 11, 1984, and continues at the time a claim is submitted under this section.

**SECTION 3082.** 281.87 of the statutes is created to read:

**281.87 Great Lakes contaminated sediment removal.** The department may expend funds from the appropriation under s. 20.866 (2) (ti) to pay a portion of the costs of a project to remove contaminated sediment from Lake Michigan or Lake Superior or a tributary of Lake Michigan or Lake Superior if federal funds are provided for the project under 33 USC 1268 (c) (12).

**SECTION 3082e.** 285.14 (2) of the statutes is amended to read:
285.14 (2) Review by standing committees. At least 60 days before the department is required to submit a state implementation plan to the federal environmental protection agency, the department shall prepare, and provide to the standing committees of the legislature with jurisdiction over environmental matters, under s. 13.172 (3) a report that describes the proposed plan and contains all of the supporting documents that the department intends to submit with the plan. The department shall also submit to the revisor of statutes legislative reference bureau for publication in the administrative register a notice of availability of the report. If, within 30 days after the department provides the report, the chairperson of a standing committee to which the report was provided submits written comments on the report to the department, the secretary shall respond to the chairperson in writing within 15 days of receipt of the comments. This subsection does not apply to a modification to a state implementation plan relating to an individual source.

Section 3082r. 285.23 (6) of the statutes is amended to read:

285.23 (6) Report to standing committees. Before the department issues documents under sub. (2) and at least 60 days before the governor is required to make a submission on a nonattainment designation under 42 USC 7407 (d) (1) (A), the department shall prepare, and provide to the standing committees of the legislature with jurisdiction over environmental matters under s. 13.172 (3), a report that contains a description of any area proposed to be identified as a nonattainment area and supporting documentation. The department shall also submit to the revisor of statutes legislative reference bureau for publication in the administrative register a notice of availability of the report. If, within 30 days after the department submits the report, the chairperson of a standing committee to which the report was provided
submits written comments on the report to the department, the secretary shall respond to the chairperson in writing within 15 days of receipt of the comments.

SECTION 3086k. 287.26 of the statutes is amended to read:

287.26 Business waste reduction and recycling assistance. The department may contract with a nonprofit organization for services to assist businesses to reduce the amount of solid waste generated or to reuse or recycle solid waste. In any contract under this section, the department shall include goals and objectives, methods to measure progress toward the goals and objectives, and a schedule for reporting to the department on the use of funds and progress toward the goals and objectives. The department may not provide more than $250,000 annually under this section to any nonprofit organization.

SECTION 3086p. 287.31 (6) of the statutes is amended to read:

287.31 (6) USE OF REVENUES. The newspaper recycling fees collected under sub. (5) shall be deposited in the recycling and renewable energy fund under s. 25.49.

SECTION 3087. 289.43 (7) (e) 3. of the statutes is amended to read:

289.43 (7) (e) 3. All fees collected under this paragraph shall be credited to the appropriations appropriation under s. 20.370 (2) (dg) and (9) (mj).

SECTION 3088. 289.645 (3) of the statutes is amended to read:

289.645 (3) AMOUNT OF RECYCLING FEE. The fee imposed under this section is $3 $4 per ton for all solid waste other than high-volume industrial waste.

SECTION 3088d. 289.645 (6) of the statutes is amended to read:

289.645 (6) USE OF RECYCLING FEES. The fees collected under sub. (2) shall be deposited in the recycling and renewable energy fund.

SECTION 3089. 289.67 (1) (cp) of the statutes is amended to read:
289.67 (1) (cp) Amount of environmental repair fee. Notwithstanding par. (cm) and except as provided under par. (d), the environmental repair fee imposed under par. (a) is 30 50 cents per ton for solid or hazardous waste, other than high-volume industrial waste, disposed of on or after January 1, 1988, but before July 1, 1989, and 50 cents per ton disposed of on or after July 1, 1989 before the first day of the first month beginning after the effective date of this paragraph .... [revisor inserts date], and $1.60 per ton disposed of on or after the first day of the first month beginning after the effective date of this paragraph .... [revisor inserts date].

SECTION 3090. 289.67 (1) (h) of the statutes is amended to read:

289.67 (1) (h) Use of environmental repair fee. The fees collected under par. (b) shall be credited to the environmental fund for environmental management.

SECTION 3091. 291.15 (2) (d) of the statutes is amended to read:

291.15 (2) (d) Use of confidential records. Except as provided under par. (c) and this paragraph the department or the department of justice may use records and other information granted confidential status under this subsection only in the administration and enforcement of this chapter. The department or the department of justice may release for general distribution records and other information granted confidential status under this subsection if the owner or operator expressly agrees to the release. The department or the department of justice may release on a limited basis records and other information granted confidential status under this subsection if the department or the department of justice is directed to take this action by a judge or hearing examiner under an order which protects the confidentiality of the records or other information. The department or the department of justice may release to the U.S. environmental protection agency or its authorized representative records and other information granted confidential status
under this subsection if the department or the department of justice includes in each
release of records or other information a request to the U.S. environmental
protection agency or its authorized representative to protect the confidentiality of
the records or other information. The department or the department of justice shall
provide to the department of workforce development children and families or a
county child support agency under s. 59.53 (5) the name and address of an individual,
the name and address of the individual’s employer and financial information related
to the individual that is contained in records or other information granted
confidential status under this subsection if requested under s. 49.22 (2m) by the
department of workforce development children and families or a county child
support agency under s. 59.53 (5).

**SECTION 3092.** 291.97 (3) of the statutes is created to read:

> 291.97 (3) **C**OST **R**ECOVERY. In addition to the penalties provided under subs. (1)
> and (2), the court may award the department of justice the reasonable and necessary
> expenses of the investigation and prosecution of the violation, including attorney
> fees and the costs of performing monitoring. The department of justice shall deposit
> in the state treasury for deposit into the general fund all moneys that the court
> awards to the department or the state under this paragraph. The costs of
> investigation and the expenses of prosecution, including attorney fees, shall be
> credited to the appropriation account under s. 20.455 (1) (gh).

**SECTION 3093.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

> 292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the
> area consists of 2 or more properties affected by a contiguous region of groundwater
> contamination or contains 2 or more properties that are brownfields, as defined in
> s. 560.60 (1v) 560.13 (1) (a).
SECTION 3094. 292.255 of the statutes is amended to read:

292.255 Report on brownfield efforts. The department of natural resources, the department of administration, and the department of commerce shall submit a report evaluating the effectiveness of this state’s efforts to remedy the contamination of, and to redevelop, brownfields, as defined in s. 560.60 (1v) 

SECTION 3094h. 292.68 of the statutes is created to read:

292.68 Reimbursement for disposal of PCB contaminated sediment.

(1) DEFINITIONS. In this section:

(a) “Disposal costs” means the costs of transporting PCB contaminated sediment to a hazardous waste disposal facility, the fees for disposing of the PCB contaminated sediment in the hazardous waste disposal facility, and the cost of any permits that an applicant is required to obtain in order to transport and dispose of the PCB contaminated sediment.

(b) “PCB contaminated sediment” means sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater and that is dredged from the bed or bank of a navigable water in this state.

(2) PROGRAM. The department shall administer a program to provide reimbursement to certain responsible parties for a portion of costs incurred for disposing of PCB contaminated sediment at an out-of-state hazardous waste disposal facility, as provided in this section.

(3) ELIGIBLE PERSON. A person is eligible for the program under this section if the person is a responsible party, under s. 292.11 or 42 USC 9601 to 9675, for the remediation of PCB contaminated sediment or has entered into a consent decree with
the department or the federal environmental protection agency under which the
person undertakes the remediation of PCB contaminated sediment.

(4) APPLICATION. A person may seek reimbursement under this section by
submitting an application to the department that contains all of the following:

(a) Test results that show that the sediment on which the application is based
contains polychlorinated biphenyls in a concentration of 50 parts per million or
greater.

(b) Documentation showing that the applicant is an eligible person under sub.
(3).

(c) Documentation showing that the PCB contaminated sediment was
transported to and disposed of at a licensed hazardous waste disposal facility outside
of this state and that disposal occurred on or after May 1, 2007.

(d) Documentation showing the disposal costs, including information
concerning the length and other terms of any contract for the disposal of the PCB
contaminated sediment, and showing any other costs that the department
determines to be reasonably necessary and attributable to the out-of-state disposal.

(e) An estimate, in accordance with sub. (5), of what the disposal costs would
be using a facility in this state that is approved for the disposal of sediment that
contains polychlorinated biphenyls in a concentration of 50 parts per million or
greater.

(5) ESTIMATE OF IN-STATE DISPOSAL COSTS. (a) If there is a facility in this state
that is approved for the disposal of sediment that contains polychlorinated biphenyls
in a concentration of 50 parts per million or greater, an applicant shall make the
estimate required by sub. (4) (e) using the disposal costs for that facility.
(b) Except as provided in par. (c), if there is no facility in this state that is approved for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater, an applicant shall make the estimate required by sub. (4) (e) in one of the following ways:

1. Based on the costs of disposing of PCB contaminated sediment at facilities in other states, other than the facility that the applicant uses for disposal of the contaminated sediments, that are comparable to a facility that, if constructed in this state, would meet the applicable state and federal requirements for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater.

2. Based on the costs of constructing and operating a facility in this state that would meet the applicable state and federal requirements for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater.

(c) If there is no facility in this state that is approved for the disposal of sediment that contains polychlorinated biphenyls in a concentration of 50 parts per million or greater and if the department has accepted, within 2 years of the date that an applicant submits an application, an estimate required by sub. (4) (e) using the method under par. (b) 1., the applicant may use that estimate to satisfy sub. (4) (e).

(d) If an applicant is required to make an estimate under par. (b), the applicant shall include in the application an explanation of the method used to estimate the cost of transporting the PCB contaminated sediment to a facility in this state.

(6) NOTIFICATION OF COMPLETENESS. When the department receives an application under sub. (4), the department shall notify the claimant whether the
application is complete and, if the application is not complete, the information that
the applicant must submit to complete the application.

(7) Decision on Application. (a) Subject to pars. (b) and (c), the department
shall approve a complete application that complies with sub. (4) and the rules
promulgated under sub. (11) if the department determines that the disposal costs
incurred by the applicant and any other costs that the department determines to be
reasonably necessary and attributable to the out-of-state disposal exceed what the
disposal costs would be using a facility in this state that meets the applicable state
and federal requirements for the disposal of sediment that contains polychlorinated
biphenyls in a concentration of 50 parts per million or greater.

(b) The department may only approve reimbursement for costs incurred on or
after the first day of the 24th month before the month in which the application is
submitted.

(c) The department shall deny an application if the department determines
that the application is fraudulent.

(8) Reimbursement. (a) Except as provided in par. (b), if the department
approves an application under sub. (4), the department shall, within 60 days of
receiving the complete application, pay the applicant an amount equal to 95 percent
of the amount by which the sum of the approved costs exceeds what the disposal costs
would be using a facility in this state that meets the applicable state and federal
requirements for the disposal of sediment that contains polychlorinated biphenyls
in a concentration of 50 parts per million or greater.

(b) If the amount determined under par. (a) exceeds the amount available in
the appropriation account under 20.370 (6) (ev), the department shall pay the excess
when additional funds become available.
(9) Review of Decision. (a) No later than the 30th day after the day on which the department approves or denies an application under sub. (4), the applicant may submit a petition for reconsideration to the secretary. The secretary shall issue a decision on whether to grant the petition no later than the 20th day after the day on which the applicant submits the petition. If the secretary grants the petition, the secretary shall meet with the applicant and employees of the department and shall issue a decision on the reconsideration no later than the 30th day after the day of the meeting.

(b) No later than the 30th day after the day on which the department approves or denies an application under sub. (4) or, if the applicant petitioned for reconsideration under par. (a), no later than the 30th day after the day on which the secretary denied the petition or issued a decision on reconsideration, the applicant may request a contested case hearing under ch. 227.

(c) No later than the 30th day after the day on which the department approves or denies an application under sub. (4) or, if the applicant petitioned for reconsideration under par. (a), no later than the 30th day after the day on which the secretary denied the petition or issued a decision on reconsideration, or, if the applicant requested a contested case hearing under ch. 227, no later than the 30th day after the day on which the final decision on the contested case is issued, an applicant may petition for judicial review of the department’s decision on the application.

(10) Effect of Program. (a) The availability of reimbursement under this section is not a bar to any other statutory or common law remedy for a responsible party to recover costs of disposing of PCB contaminated sediment. A responsible
party is not required to seek reimbursement under this section before seeking any other statutory or common law remedy.

(b) Findings and conclusions under this section are not admissible in any civil action.

(11) RULES. The department shall promulgate rules specifying procedures for the submission, review, and approval of claims under this section.

SECTION 3095. 299.07 (1) (am) 1. of the statutes is amended to read:

299.07 (1) (am) 1. If an individual who applies for the issuance or renewal of a license, registration or certification specified in par. (a) does not have a social security number, the department shall require the applicant, as a condition of issuing or renewing the license, registration or certification, to submit a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The statement shall be in the form prescribed by the department of workforce development children and families.

SECTION 3096. 299.07 (1) (b) 2. of the statutes is amended to read:

299.07 (1) (b) 2. If the department is required to obtain the information under s. 299.08 (1) (a), to the department of workforce development children and families in accordance with a memorandum of understanding under s. 49.857.

SECTION 3097. 299.08 (1) (am) 1. of the statutes is amended to read:

299.08 (1) (am) 1. If an individual who applies for the issuance or renewal of a license, registration or certification specified in par. (a) does not have a social security number, the department shall require the applicant, as a condition of issuing or renewing the license, registration or certification, to submit a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.
social security number. The statement shall be in the form prescribed by the
department of workforce development children and families.

SECTION 3098. 299.08 (1) (b) 1. of the statutes is amended to read:

299.08 (1) (b) 1. To the department of workforce development children and
families in accordance with a memorandum of understanding under s. 49.857.

SECTION 3099. 299.08 (2) of the statutes is amended to read:

299.08 (2) The department shall deny an application for the issuance or
renewal of a license, registration or certification specified in sub. (1) (a), or shall
suspend a license, registration or certification specified in sub. (1) (a) for failure to
make court-ordered payments of child or family support, maintenance, birth
expenses, medical expenses or other expenses related to the support of a child or
former spouse or failure to comply, after appropriate notice, with a subpoena or
warrant issued by the department of workforce development children and families
or a county child support agency under s. 59.53 (5) and relating to paternity or child
support proceedings, as required in a memorandum of understanding under s.
49.857.

SECTION 3100. 301.03 (3) of the statutes is amended to read:

301.03 (3) Administer parole, extended supervision and probation matters,
except that the decision to grant or deny parole or to grant or terminate extended
supervision under s. 304.06 (1) (b) to inmates shall be made by the parole earned
release review commission and the decision to revoke probation, extended
supervision or parole in cases in which there is no waiver of the right to a hearing
shall be made by the division of hearings and appeals in the department of
administration. The secretary may grant special action parole releases under s.
304.02. The department shall promulgate rules establishing a drug testing program
for probationers, parolees and persons placed on extended supervision. The rules shall provide for assessment of fees upon probationers, parolees and persons placed on extended supervision to partially offset the costs of the program.

**SECTION 3100g.** 301.03 (6t) of the statutes is created to read:

301.03 (6t) On or before January 1 of each odd-numbered year, submit a report to the joint committee on finance and to the chief clerk of each house of the legislature on the use of overtime in the state correctional institutions, identifying the state correctional institution, the amount and costs of overtime at each correctional institution, and the reason for the overtime at each correctional institution.

**SECTION 3101.** 301.0465 (3) (a) 4. of the statutes is amended to read:

301.0465 (3) (a) 4. He or she is serving an indeterminate sentence and the parole earned release review commission has authorized his or her release on parole within the next 6 months.

**SECTION 3102.** 301.048 (2) (am) 3. of the statutes is amended to read:

301.048 (2) (am) 3. The parole earned release review commission grants him or her parole under s. 304.06 and requires his or her participation in the program as a condition of parole under s. 304.06 (1x).

**SECTION 3104.** 301.12 (14) (b) of the statutes is amended to read:

301.12 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability of a parent specified in sub. (2) or s. 301.03 (18) for the care and maintenance of the parent’s minor child who has been placed by a court order under s. 938.183, 938.355, or 938.357 in a residential, nonmedical facility such as a group home, foster home, treatment foster home, residential care center for children and youth, or juvenile correctional institution shall be determined by the court by using the percentage standard established by the department of workforce development children and...
families under s. 49.22 (9) and by applying the percentage standard in the manner established by the department under par. (g).

**SECTION 3105.** 301.12 (14) (g) of the statutes is amended to read:

301.12 (14) (g) For purposes of determining child support under par. (b), the department shall promulgate rules related to the application of the standard established by the department of workforce development children and families under s. 49.22 (9) to a child support obligation for the care and maintenance of a child who is placed by a court order under s. 938.183, 938.355 or 938.357 in a residential, nonmedical facility. The rules shall take into account the needs of any person, including dependent children other than the child, whom either parent is legally obligated to support.

**SECTION 3106.** 301.21 (1m) (c) of the statutes is amended to read:

301.21 (1m) (c) Any hearing to consider parole or whether to grant or terminate extended supervision, if the prisoner is sentenced under s. 973.01 for a Class F to a Class I felony to which an inmate confined under this contract may be entitled by the laws of Wisconsin will be conducted by the Wisconsin parole earned release review commission under rules of the department.

**SECTION 3107.** 301.21 (2m) (c) of the statutes is amended to read:

301.21 (2m) (c) Any hearing to consider parole or whether to grant or terminate extended supervision, if the prisoner is sentenced under s. 973.01 for a Class F to a Class I felony, to which a prisoner confined under a contract under this subsection may be entitled by the laws of Wisconsin shall be conducted by the Wisconsin parole earned release review commission under rules of the department.

**SECTION 3108.** 301.25 of the statutes is amended to read:
301.25 Sewer system at Taycheedah Correctional Institution. The department, with the approval of the governor, may enter into an agreement containing terms, conditions and covenants approved by the building commission, to participate in the construction of a sanitary sewer system in the area adjacent to the Taycheedah Correctional Institution in the town of Taycheedah, Fond du Lac County; to connect the sewer system of the Taycheedah Correctional Institution thereto; to pay sewage disposal charges; and to grant easements or, subject to s. 16.848, convey land to meet construction requirements.

**Section 3112.** 301.26 (4) (c) of the statutes is amended to read:

301.26 (4) (c) Notwithstanding pars. (a), (b), and (bm), the department of corrections shall pay, from the appropriation under s. 20.410 (3) (hm), (ho), or (hr), the costs of care, services, and supplies provided for each person receiving services under s. 46.057, 48.366, 51.35 (3), 938.183, or 938.34 who was under the guardianship of the department of health and family services children and families pursuant to an order under ch. 48 at the time that the person was adjudicated delinquent.

**Section 3113.** 301.26 (4) (d) 2. of the statutes is amended to read:

301.26 (4) (d) 2. Beginning on July 1, 2005 2007, and ending on June 30, 2006 2008, the per person daily cost assessment to counties shall be $203 $259 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), $203 $259 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), $234 $277 for care in a residential care center for children and youth, $157 $165 for care in a group home for children, $47 $67 for care in a foster home, $83 $132 for care in a treatment foster home, $81 $99 for departmental corrective sanctions services, and $32 $35 for departmental aftercare services.
SECTION 3114. 301.26 (4) (d) 3. of the statutes is amended to read:

301.26 (4) (d) 3. Beginning on July 1, 2006 2008, and ending on June 30, 2007 2009, the per person daily cost assessment to counties shall be $209 $268 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), $209 $268 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), $244 $296 for care in a residential care center for children and youth, $163 $172 for care in a group home for children, $50 $74 for care in a foster home, $87 $145 for care in a treatment foster home, $82 $101 for departmental corrective sanctions services, and $33 $37 for departmental aftercare services.

SECTION 3114m. 301.26 (5) of the statutes is created to read:

301.26 (5) Revenue sufficiency. (a) Before the close of each odd-numbered fiscal year, the department of corrections shall project the balance that will remain in the appropriation account under s. 20.410 (3) (hm) on June 30 of that fiscal year and provide that information to the department of administration.

(b) 1. If the department of corrections projects under par. (a) that there will be a deficit in the appropriation account under s. 20.410 (3) (hm) on June 30 of an odd-numbered year, the department of administration shall include the amount of that projected deficit in the cost basis used to calculate the per person daily cost assessments under sub. (4) (d) 2. and 3. for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), for the next fiscal biennium by adding 50 percent of that projected deficit to the cost basis used to determine the per person daily cost assessment under sub. (4) (d) 2. for care in a Type 1 juvenile correctional facility for the first year of the next fiscal biennium and by adding 50 percent of that projected deficit to the cost basis used to determine the per person daily cost assessment under
subsection (4) (d) 3. for care in a Type 1 juvenile correctional facility for the 2nd year of the next fiscal biennium.

2. The secretary of administration shall use to recoup the projected deficit specified in subd. 1. all moneys generated by the increases in the per person daily cost assessments specified in subd. 1. that result from adding that projected deficit to the cost basis specified in subd. 1.

   (c) If on June 30 of the odd-numbered year of the next fiscal biennium the moneys described in par. (b) 2. exceed the amount of the actual deficit on June 30 of the odd-numbered year of the fiscal biennium in which that deficit was incurred, all moneys in excess of that actual deficit shall be remitted to the counties or transferred to the appropriation account under s. 20.410 (3) (kx) by September 30 of that odd-numbered year. Each county and the department shall receive a proportionate share of the remittance and transfer depending on the total number of days of placement at Type 1 juvenile correctional facilities, as defined in s. 938.02 (19), for each county and the state during that next fiscal biennium. Counties shall use any amounts remitted under this paragraph for the purposes specified in this section. The department shall deposit in the general fund the amounts transferred under this paragraph to the appropriation account under s. 20.410 (3) (kx).

SECTION 3116. 301.26 (7) (intro.) of the statutes is amended to read:

301.26 (7) Allocations of funds. (intro.) Within the limits of the availability of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the department shall allocate funds for community youth and family aids for the period beginning on July 1, 2005, 2007, and ending on June 30, 2007, 2009, as provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

SECTION 3117d. 301.26 (7) (a) of the statutes is amended to read:
301.26 (7) (a) For community youth and family aids under this section, amounts not to exceed $44,145,100 for the last 6 months of 2005, $88,290,200 for 2006, and $44,145,100 for the first 6 months of 2007.

SECTION 3118. 301.26 (7) (b) (intro.) of the statutes is amended to read:

301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall allocate $2,000,000 for the last 6 months of 2005, $4,000,000 for 2006, and $2,000,000 for the first 6 months of 2007 to counties based on each of the following factors weighted equally:

SECTION 3119. 301.26 (7) (bm) of the statutes is created to read:

301.26 (7) (bm) Of the amounts specified in par. (a), the department shall allocate $2,500,000 for the last 6 months of 2007, $5,000,000 for 2008, and $2,500,000 for the first 6 months of 2009 to counties based on each county’s proportion of the number of juveniles statewide who are placed in a juvenile correctional facility during the most recent 3-year period for which that information is available.

SECTION 3120. 301.26 (7) (c) of the statutes is amended to read:

301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate $1,053,200 for the last 6 months of 2005, $2,106,500 for 2006, and $1,053,300 for the first 6 months of 2007 to counties based on each of the factors specified in par. (b) 1. to 3. weighted equally, except that no county may receive an allocation under this paragraph that is less than 93% nor more than 115% of the amount that the county would have received under this paragraph if the allocation had been distributed only on the basis of the factor specified in par. (b) 3.

SECTION 3122. 301.26 (7) (e) of the statutes is amended to read:
301.26 (7) (e) For emergencies related to community youth and family aids under this section, amounts not to exceed $125,000 for the last 6 months of 2005, $250,000 for 2006 2008, and $125,000 for the first 6 months of 2007 2009. A county is eligible for payments under this paragraph only if it has a population of not more than 45,000.

**SECTION 3123.** 301.26 (7) (h) of the statutes is amended to read:

301.26 (7) (h) For counties that are participating in the corrective sanctions program under s. 938.533 (2), $1,062,400 in the last 6 months of 2005 2007, $2,124,800 in 2006 2008, and $1,062,400 in the first 6 months of 2007 2009 for the provision of corrective sanctions services for juveniles from that county. In distributing funds to counties under this paragraph, the department shall determine a county’s distribution by dividing the amount allocated under this paragraph by the number of slots authorized for the program under s. 938.533 (2) and multiplying the quotient by the number of slots allocated to that county by agreement between the department and the county. The department may transfer funds among counties as necessary to distribute funds based on the number of slots allocated to each county.

**SECTION 3124.** 301.26 (8) of the statutes is amended to read:

301.26 (8) **ALCOHOL AND OTHER DRUG ABUSE TREATMENT.** From the amount of the allocations specified in sub. (7) (a), the department shall allocate $666,700 in the last 6 months of 2005 2007, $1,333,400 in 2006 2008, and $666,700 in the first 6 months of 2007 2009 for alcohol and other drug abuse treatment programs.

**SECTION 3125.** 301.265 (title) of the statutes is repealed.

**SECTION 3126.** 301.265 (1) of the statutes is renumbered 16.964 (8) (a) and amended to read:
16.964 (8) (a) From the appropriations under s. 20.410 (3) 20.505 (6) (d) and (kj), the department office shall allocate $500,000 in each fiscal year to enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs. Notwithstanding s. 16.75, the department office may enter into a contract under this subsection paragraph without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

Section 3127. 301.265 (2) of the statutes is renumbered 16.964 (8) (b) and amended to read:

16.964 (8) (b) From the appropriation under s. 20.410 (3) (ky) 20.505 (6) (km), the department office may not distribute more than $300,000 in each fiscal year to the organization that it has contracted with under sub. (1) par. (a) for alcohol and other drug abuse education and treatment services for participants in that organization’s youth diversion program.

Section 3128. 301.265 (3) of the statutes is renumbered 16.964 (8) (c) and amended to read:

16.964 (8) (c) From the appropriations under s. 20.410 (3) 20.505 (6) (d) and (kj), the department office shall allocate $150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, $150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, $150,000 in each fiscal year to enter into a contract with an organization that is located in ward 1 2 in the city of Racine to provide services in Racine County, and $150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, and from the appropriation under
S. 20.410 (3) 20.505 (6) (kj), the department shall allocate $100,000 in each fiscal year to enter into a contract with an organization, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. The organization that is located in ward 1-2 in the city of Racine shall have a recreational facility, shall offer programs to divert youths from gang activities, may not be affiliated with any national or state association, and may not have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s. 16.75, the department office may enter into a contract under this subsection paragraph without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

**SECTION 3128m.** 301.286 of the statutes is created to read:

**301.286 State identification upon release from prison.** Before an individual is released from prison upon completion of his or her sentence or to parole or extended supervision, the department shall determine if the individual has an operator’s license or a state identification card under ch. 343. If the individual has neither, the department shall assist the individual in applying for a state identification card under s. 343.50. The department shall determine if the individual is able to pay all or a portion of the fee under s. 343.50 (5) from the individual’s general fund account. The department shall pay any portion of the fee the individual is unable to pay from the individual’s general fund account.

**SECTION 3129.** 301.37 (1) of the statutes is amended to read:

301.37 (1) The department shall fix reasonable standards and regulations for the design, construction, repair, and maintenance of all houses of correction,
reforestation camps maintained under s. 303.07, jails, as defined in s. 302.30, extensions of jails under s. 59.54 (14) (g), rehabilitation facilities under s. 59.53 (8), lockup facilities, as defined in s. 302.30, work camps under s. 303.10, Huber facilities under s. 303.09, and, after consulting with the department of health and family services children and families, all juvenile detention facilities, with respect to their adequacy and fitness for the needs which they are to serve.

SECTION 3130. 301.45 (7) (a) of the statutes is amended to read:

301.45 (7) (a) The department shall maintain information provided under sub. (2). The department shall keep the information confidential except as provided in ss. 301.03 (14) and 301.46, except as needed for law enforcement purposes and except to provide, in response to a request for information under s. 49.22 (2m) made by the department of workforce development children and families or a county child support agency under s. 59.53 (5), the name and address of an individual registered under this section, the name and address of the individual's employer and financial information related to the individual.

SECTION 3131. 301.45 (9) of the statutes is amended to read:

301.45 (9) COOPERATION. The department of health and family services, the department of workforce development children and families, the department of transportation and all circuit courts shall cooperate with the department of corrections in obtaining information under this section.

SECTION 3132. 301.45 (10) of the statutes is amended to read:

301.45 (10) The department may require a person who must register as a sex offender and who is in its custody or on probation, parole, or extended supervision to pay an annual fee to partially offset its costs in monitoring persons on probation,
parole, or extended supervision who must register as sex offenders. The department shall establish any such fee by rule, but the fee may not exceed $50 $100.

SECTION 3132r. 301.46 (2m) (am) of the statutes is amended to read:

301.46 (2m) (am) If an agency with jurisdiction confines a person under s. 301.046, provides a person entering the intensive sanctions program under s. 301.048 with a sanction other than a placement in a Type 1 prison or a jail, or releases a person from confinement in a state correctional institution or institutional care, and the person has been found to be a sexually violent person under ch. 980 or has, on 2 or more separate occasions, been convicted or found not guilty or not responsible by reason of mental disease or defect for a sex offense or for a violation of a law of this state that is comparable to a sex offense, the agency with jurisdiction shall notify the police chief of any community and the sheriff of any county in which the person will be residing, employed or attending school and through or to which the person will be regularly traveling. Notification under this paragraph shall be in addition to providing access to information under sub. (2) and to any other notification that an agency with jurisdiction is authorized to provide.

SECTION 3133. 301.46 (4) (a) 10m. of the statutes is created to read:

301.46 (4) (a) 10m. The department children and families.

SECTION 3134m. 301.48 (1) (cm) and (cn) of the statutes are created to read:

301.48 (1) (cm) “Level 1 child sex offense” means a violation of s. 948.02 or 948.025 in which any of the following occurs:

1. The actor has sexual contact or sexual intercourse with an individual who is not a relative of the actor and who has not attained the age of 13 years and causes great bodily harm, as defined in s. 939.22 (14), to the individual.
2. The actor has sexual intercourse with an individual who is not a relative of
the actor and who has not attained the age of 12 years.

   (cn) “Level 2 child sex offense” means a violation of s. 948.02 or 948.025 in which
any of the following occurs:

   1. The actor has sexual intercourse, by use or threat of force or violence, with
an individual who is not a relative of the actor and who has not attained the age of
16 years.

   2. The actor has sexual contact, by use or threat of force or violence, with an
individual who has not attained the age of 16 years and who is not a relative of the
actor, and the actor is at least 18 years of age when the sexual contact occurs.

SECTION 3135a. 301.48 (1) (d) of the statutes, as created by 2005 Wisconsin Act
431, is amended to read:

301.48 (1) (d) “Lifetime tracking” means global positioning system tracking
that is required for a person for the remainder of the person’s life or until terminated
under sub. (2m), sub. (6), if applicable, or sub. (7) or (8) (7m). “Lifetime tracking” does
not include global positioning system tracking under sub. (2) (c) or (d), regardless of
how long it is required.

SECTION 3136g. 301.48 (1) (dr) of the statutes is created to read:

301.48 (1) (dr) “Relative” means a son, daughter, brother, sister, first cousin,
2nd cousin, nephew, niece, grandchild, or great grandchild, or any other person
related by blood, marriage, or adoption.

SECTION 3136m. 301.48 (1) (e) of the statutes, as created by 2005 Wisconsin Act
431, is repealed and recreated to read:

301.48 (1) (e) “Serious child sex offense” means a level 1 child sex offense or a
level 2 child sex offense.
SECTION 3136r. 301.48 (1) (fm) of the statutes is created to read:

301.48 (1) (fm) “Sexual contact” has the meaning given in s. 948.01 (5).

SECTION 3137a. 301.48 (2) (a) (intro.) of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (2) (a) (intro.) Except as provided in sub. (2m), the department shall maintain lifetime tracking of a person if any of the following occurs with respect to the person on or after July 1, 2007 January 1, 2008:

SECTION 3138g. 301.48 (2) (a) 1. of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (2) (a) 1. A court places the person on probation for committing a serious level 1 child sex offense.

SECTION 3138r. 301.48 (2) (a) 1m. of the statutes is created to read:

301.48 (2) (a) 1m. The person is convicted for committing a level 2 child sex offense and the court places the person on probation for committing the level 2 child sex offense.

SECTION 3139a. 301.48 (2) (a) 2. of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (2) (a) 2. The department releases the person to extended supervision or parole while the person is serving a sentence for committing a serious level 1 child sex offense.

SECTION 3139r. 301.48 (2) (a) 2m. of the statutes is created to read:

301.48 (2) (a) 2m. The person is convicted for committing a level 2 child sex offense and the department releases the person to extended supervision or parole while the person is serving the sentence for committing the level 2 child sex offense.
**SECTION 3140g.** 301.48 (2) (a) 3. of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (2) (a) 3. The department releases the person from prison upon the completion of a sentence imposed for a serious level 1 child sex offense.

**SECTION 3140r.** 301.48 (2) (a) 3m. of the statutes is created to read:

301.48 (2) (a) 3m. The person is convicted for committing a level 2 child sex offense and the department releases the person from prison upon the completion of the sentence imposed for the level 2 child sex offense.

**SECTION 3141g.** 301.48 (2) (a) 6., 7. and 8. of the statutes are created to read:

301.48 (2) (a) 6. The court places a person on lifetime supervision under s. 939.615 for committing a serious child sex offense and the person is released from prison.

7. A police chief or a sheriff receives a notification under s. 301.46 (2m) (am) regarding the person.

8. The department makes a determination under sub. (2g) that global positioning system tracking is appropriate for the person.

**SECTION 3143m.** 301.48 (2) (b) (intro.) of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (2) (b) (intro.) The department shall maintain lifetime tracking of a person if any of the following occurs with respect to the person on or after January 1, 2007:

**SECTION 3144m.** 301.48 (2) (b) 2. of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:
301.48 (2) (b) 2. A court discharges the person under s. 980.09 or 980.10 (4).

This subdivision does not apply if the person was on supervised release immediately before being discharged.

Section 3145m. 301.48 (2) (c) of the statutes, as created by 2005 Wisconsin Act 431, is repealed.

Section 3148g. 301.48 (2) (d) of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (2) (d) If, on or after July 1, 2007, January 1, 2008, a person is being placed on probation, extended supervision, or parole, or lifetime supervision for committing a sex offense and par. (a), or (b), or (c) does not apply, the department may have the person tracked using a global positioning system tracking device as a condition of the person’s probation, extended supervision, or parole, or lifetime supervision.

Section 3148r. 301.48 (2g) of the statutes is created to read:

301.48 (2g) Department determination. If a person who committed a serious child sex offense, or a person under supervision under the interstate corrections compact for a serious child sex offense, is not subject to lifetime tracking under sub. (2), the department shall assess the person’s risk using a standard risk assessment instrument to determine if global positioning system tracking is appropriate for the person.

Section 3149m. 301.48 (2m) of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (2m) Passive positioning system tracking. If a person who is subject to lifetime tracking under sub. (2) (a) 1., 1m., 2., or 2m., 3., or 3m, completes his or her sentence, including any probation, parole, or extended supervision, the
department may decide to use passive positioning system tracking instead of maintaining lifetime tracking.

SECTION 3151m. 301.48 (3) (a) 1. of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (3) (a) 1. Use field monitoring equipment that supports cellular communications with as large a coverage area as possible and shall automatically provide instantaneous or nearly instantaneous information regarding the whereabouts of a person who is being monitored, including information regarding the person’s presence in an exclusion zone established under par. (c) or absence from an inclusion zone established under par. (c).

SECTION 3153m. 301.48 (3) (b) of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (3) (b) The department shall contract with a vendor using a competitive process under s. 16.75 to provide staff in this state to install, remove, and maintain equipment related to global positioning system tracking services and passive positioning system tracking services for purposes of this section. The term of the contract may not exceed 3 years.

SECTION 3154m. 301.48 (3) (c) of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (3) (c) For each person who is subject to global positioning system tracking under this section, the department shall create individualized exclusion and inclusion zones for the person, if necessary to protect public safety. In creating exclusion zones, the department shall focus on areas where children congregate, with perimeters of 100 to 250 feet, and on areas where the person has been prohibited from going as a condition of probation, extended supervision, parole, conditional
release, or supervised release, or lifetime supervision. In creating inclusion zones for a person on supervised release, the department shall consider s. 980.08 (7) (9).

**SECTION 3156m.** 301.48 (4) (b) of the statutes, as created by 2005 Wisconsin Act 431, is amended to read:

301.48 (4) (b) If required by the department, a person who is subject to global positioning system tracking or passive positioning system tracking shall pay for the cost of tracking up to the amount calculated for the person under par. (a) 2. The department shall collect moneys paid by the person under this paragraph and credit those moneys to the appropriation under s. 20.410 (1) (gk).

**SECTION 3164m.** 301.48 (7m) of the statutes is created to read:

301.48 (7m) Termination if person moves out of state. Notwithstanding sub. (2), if a person who is subject to being tracked under this section moves out of state, the department shall terminate the person’s tracking. If the person returns to the state, the department shall reinstate the person’s tracking except as provided under sub. (6) or (7).

**SECTION 3165m.** 301.48 (8) of the statutes, as created by 2005 Wisconsin Act 431, is repealed.

**SECTION 3167.** 302.045 (3) of the statutes is amended to read:

302.045 (3) Parole eligibility. Except as provided in sub. (4), if the department determines that an inmate serving a sentence other than one imposed under s. 973.01 has successfully completed the challenge incarceration program, the parole earned release review commission shall parole the inmate for that sentence under s. 304.06, regardless of the time the inmate has served. When the parole earned release review commission grants parole under this subsection, it must require the
parolee to participate in an intensive supervision program for drug abusers as a condition of parole.

SECTION 3168. 302.05 (1) (c) of the statutes is amended to read:

302.05 (1) (c) The Robert E. Ellsworth Correctional Center The department of corrections and the department of health and family services shall, at any correctional facility the departments determine is appropriate, provide a substance abuse treatment program for inmates for the purposes of the earned release program described in sub. (3).

SECTION 3169. 302.05 (3) (b) of the statutes is amended to read:

302.05 (3) (b) Except as provided in par. (d), if the department determines that an eligible inmate serving a sentence other than one imposed under s. 973.01 has successfully completed a treatment program described in sub. (1), the parole earned release review commission shall parole the inmate for that sentence under s. 304.06, regardless of the time the inmate has served. If the parole earned release review commission grants parole under this paragraph, it shall require the parolee to participate in an intensive supervision program for drug abusers as a condition of parole.

SECTION 3170. 302.11 (1g) (b) (intro.) of the statutes is amended to read:

302.11 (1g) (b) (intro.) Before an incarcerated inmate with a presumptive mandatory release date reaches the presumptive mandatory release date specified under par. (am), the parole earned release review commission shall proceed under s. 304.06 (1) to consider whether to deny presumptive mandatory release to the inmate. If the parole earned release review commission does not deny presumptive mandatory release, the inmate shall be released on parole. The parole earned release
review commission may deny presumptive mandatory release to an inmate only on
one or more of the following grounds:

SECTION 3171. 302.11 (1g) (b) 2. of the statutes is amended to read:

302.11 (1g) (b) 2. Refusal by the inmate to participate in counseling or
treatment that the social service and clinical staff of the institution determines is
necessary for the inmate, including pharmacological treatment using an
antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious
child sex offender as defined in s. 304.06 (1q) (a). The parole earned release review
commission may not deny presumptive mandatory release to an inmate because of
the inmate’s refusal to participate in a rehabilitation program under s. 301.047.

SECTION 3172. 302.11 (1g) (c) of the statutes is amended to read:

302.11 (1g) (c) If the parole earned release review commission denies
presumptive mandatory release to an inmate under par. (b), the parole earned
release review commission shall schedule regular reviews of the inmate’s case to
consider whether to parole the inmate under s. 304.06 (1).

SECTION 3173. 302.11 (1g) (d) of the statutes is amended to read:

302.11 (1g) (d) An inmate may seek review of a decision by the parole earned
release review commission relating to the denial of presumptive mandatory release
only by the common law writ of certiorari.

SECTION 3174. 302.11 (1m) of the statutes is amended to read:

302.11 (1m) An inmate serving a life term is not entitled to mandatory release.

Except as provided in ss. 939.62 (2m) (c) and 973.014, the parole earned release
review commission may parole the inmate as specified in s. 304.06 (1).

SECTION 3175. 302.11 (7) (c) of the statutes is amended to read:
302.11 (7) (c) The parole earned release review commission may subsequently parole, under s. 304.06 (1), and the department may subsequently parole, under s. 304.02, a parolee who is returned to prison for violation of a condition of parole.

SECTION 3176. 302.113 (2) of the statutes is amended to read:

302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this section is entitled to release to extended supervision after he or she has served the term of confinement in prison portion of the sentence imposed under s. 973.01, as modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., 302.05 (3) (c) 2. a., or 973.195 (1r), if applicable, or as adjusted by the earned release review commission under s. 304.06 (1) (b).

SECTION 3178. 302.372 (2) (b) of the statutes is amended to read:

302.372 (2) (b) Before seeking any reimbursement under this section, the county shall provide a form to be used for determining the financial status of prisoners. The form shall provide for obtaining the social security number of the prisoner, the age and marital status of a prisoner, the number and ages of children of a prisoner, the number and ages of other dependents of a prisoner, the income of a prisoner, type and value of real estate owned by a prisoner, type and value of personal property owned by a prisoner, the prisoner’s cash and financial institution accounts, type and value of the prisoner’s investments, pensions and annuities and any other personality of significant cash value owned by a prisoner. The county shall use the form whenever investigating the financial status of prisoners. The information on a completed form is confidential and not open to public inspection or copying under s. 19.35 (1), except that the county shall provide the name and address of an individual, the name and address of the individual’s employer and financial information related to the individual from a form completed under this paragraph.
in response to a request for information under s. 49.22 (2m) made by the department of workforce development, children and families or a county child support agency under s. 59.53 (5).

**SECTION 3179.** 302.38 (3) of the statutes is amended to read:

302.38 (3) The maximum amount that a governmental unit may pay for the costs of medical or hospital care under this section is limited for that care to the amount payable by medical assistance under subch. IV of ch. 49, except ss. 49.468 and 49.471 (11), for care for which a medical assistance rate exists. No provider of medical or hospital care may bill a prisoner under sub. (1) for the cost of care exceeding the amount paid under this subsection by the governmental unit. If no medical assistance rate exists for the care provided, there is no limitation under this subsection.

**SECTION 3180.** 302.386 (1) of the statutes is amended to read:

302.386 (1) Except as provided in sub. (5), liability for medical and dental services furnished to residents housed in prisons identified in s. 302.01, in a juvenile correctional facility, or in a secured residential care center for children and youth, or to forensic patients in state institutions for those services that are not provided by employees of the department shall be limited to the amounts payable under ss. 49.43 to 49.47, except s. 49.471, excluding ss. 49.468 and 49.471 (11), for similar services. The department may waive any such limit if it determines that needed services cannot be obtained for the applicable amount. No provider of services may bill the resident or patient for the cost of services exceeding the amount of the liability under this subsection.

**SECTION 3181.** 304.01 (title) of the statutes is amended to read:
304.01 (title) Parole Earned release review commission and
commission chairperson; general duties.

Section 3182. 304.01 (1) of the statutes is amended to read:

304.01 (1) The chairperson of the parole earned release review commission
shall administer and supervise the commission and its activities and shall be the
final parole granting authority for granting parole, release to extended supervision,
or termination of extended supervision, except as provided in s. 304.02 or 973.195.

Section 3183. 304.01 (2) (intro.) of the statutes is amended to read:

304.01 (2) (intro.) The parole earned release review commission shall conduct
regularly scheduled interviews to consider the parole or release to extended
supervision of eligible inmates of the adult correctional institutions under the
department of corrections, eligible inmates transferred under ch. 51
and the control of the department of health and family services and eligible
inmates in any county house of correction. The department of corrections shall
provide all of the following to the parole earned release review commission:

Section 3184. 304.01 (2) (b) of the statutes is amended to read:

304.01 (2) (b) Scheduling assistance for parole interviews for prisoners who
have applied for parole or release to extended supervision at the correctional
institutions.

Section 3185. 304.01 (2) (c) of the statutes is amended to read:

304.01 (2) (c) Clerical support related to the parole interviews for prisoners who
have applied for parole or release to extended supervision.

Section 3186. 304.01 (2) (d) of the statutes is amended to read:
304.01 (2) (d) Appropriate physical space at the correctional institutions to conduct the parole interviews for prisoners who have applied for parole or release to extended supervision.

SECTION 3187. 304.06 (title) of the statutes is amended to read:

304.06 (title) Paroles Release to parole or extended supervision from state prisons and house of correction; termination of extended supervision.

SECTION 3188. 304.06 (1) (b) of the statutes is amended to read:

304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s. 302.045 (3), 302.05 (3) (b), 973.01 (6), or 973.0135, the parole earned release review commission may parole an inmate of the Wisconsin state prisons or any felon or any person serving at least one year or more in a county house of correction or a county reforestation camp organized under s. 303.07, when he or she has served 25% of the sentence imposed for the offense, or 6 months, whichever is greater. The earned release review board may release to extended supervision a person sentenced under s. 973.01 for a Class F to a Class I felony after the person has served at least 75 percent of the term of confinement in prison portion of the sentence, and may terminate extended supervision of a person sentenced under s. 973.01 for a Class F to a Class I felony after the person has completed 75 percent of his or her extended supervision portion of the sentence. Except as provided in s. 939.62 (2m) (c) or 973.014 (1) (b) or (c), (1g) or (2), the parole earned release review commission may parole an inmate serving a life term when he or she has served 20 years, as modified by the formula under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable. The person serving the life term shall be given credit for time served prior to sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary may grant special action parole releases under s. 304.02. The department
or the parole earned release review commission shall not provide any convicted offender or other person sentenced to the department’s custody any parole eligibility or evaluation for parole or release to extended supervision until the person has been confined at least 60 days following sentencing.

**SECTION 3189.** 304.06 (1) (bn) of the statutes is created to read:

304.06 (1) (bn) The earned release review commission may consider any of the following as a ground for a petition under par. (b) for sentence reduction by a person who is sentenced under s. 973.01 for a Class F to Class I felony:

1. The inmate’s conduct, efforts at and progress in rehabilitation, or participation and progress in education, treatment, or other correctional programs since he or she was sentenced.

2. A change in law or procedure related to sentencing or revocation of extended supervision effective after the inmate was sentenced that would have resulted in a shorter term of confinement in prison or, if the inmate was returned to prison upon revocation of extended supervision, a shorter period of confinement in prison upon revocation, if the change had been applicable when the inmate was sentenced.

3. The inmate is subject to a sentence of confinement in another state or the inmate is in the United States illegally and may be deported.

4. Sentence adjustment is otherwise in the interests of justice.

**SECTION 3190.** 304.06 (1) (br) of the statutes is created to read:

304.06 (1) (br) 1. Except as provided under subd. 2., the earned release review commission may reduce the term of confinement of a person who is sentenced under s. 973.01 for a Class F to Class I felony only as follows:

a. If the inmate is serving the term of confinement in prison portion of the sentence, a reduction in the term of confinement in prison by the amount of time
remaining in the term of confinement in prison portion of the sentence, less up to 30
days, and a corresponding increase in the term of extended supervision.

b. If the inmate is confined in prison upon revocation of extended supervision,
a reduction in the amount of time remaining in the period of confinement in prison
imposed upon revocation, less up to 30 days, and a corresponding increase in the term
of extended supervision.

2. a. If the earned release review commission adjusts a sentence under subd. 1.
on the basis of a change in law or procedure as provided under par. (bn) 2. and the
total sentence length of the adjusted sentence is greater than the maximum sentence
length that the offender could have received if the change in law or procedure had
been applicable when the inmate was originally sentenced, the earned release review
commission may reduce the length of the term of extended supervision so that the
total sentence length does not exceed the maximum sentence length that the offender
could have received if the change in law or procedure had been applicable when the
inmate was originally sentenced.

b. If the earned release review commission adjusts a sentence under subd. 1.
on the basis of a change in law or procedure as provided under par. (bn) 2. and the
adjusted term of extended supervision is greater than the maximum term of
extended supervision that the offender could have received if the change in law or
procedure had been applicable when the inmate was originally sentenced, the earned
release review commission may reduce the length of the term of extended
supervision so that the term of extended supervision does not exceed the maximum
term of extended supervision that the offender could have received if the change in
law or procedure had been applicable when the inmate was originally sentenced.

**SECTION 3191.** 304.06 (1) (bu) of the statutes is created to read:
304.06 (1) (bu) An inmate who is sentenced under s. 973.01 for a Class F to Class I felony may submit only one petition under this subsection for each sentence imposed under s. 973.01.

**SECTION 3192.** 304.06 (1) (c) (intro.) of the statutes is amended to read:

304.06 (1) (c) (intro.) If an inmate applies for parole, release to extended supervision, or termination of extended supervision under this subsection, the parole earned release review commission shall make a reasonable attempt to notify the following, if they can be found, in accordance with par. (d):

**SECTION 3193.** 304.06 (1) (d) 1. of the statutes is amended to read:

304.06 (1) (d) 1. The notice under par. (c) shall inform the offices and persons under par. (c) 1. to 3. of the manner in which they may provide written statements under this subsection, shall inform persons under par. (c) 3. of the manner in which they may attend interviews or hearings and make statements under par. (eg) and shall inform persons under par. (c) 3. who are victims, or family members of victims, of crimes specified in s. 940.01, 940.03, 940.05, 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07 of the manner in which they may have direct input in the parole decision-making process under par. (em) for parole, release to extended supervision, or termination of extended supervision. The parole earned release review commission shall provide notice under this paragraph for an inmate’s first application for parole, release to extended supervision, or termination of extended supervision and, upon request, for subsequent applications for parole.

**SECTION 3194.** 304.06 (1) (e) of the statutes is amended to read:

304.06 (1) (e) The parole earned release review commission shall permit any office or person under par. (c) 1. to 3. to provide written statements. The parole earned release review commission shall give consideration to any written statements
provided by any such office or person and received on or before the date specified in
the notice. This paragraph does not limit the authority of the parole earned release
review commission to consider other statements or information that it receives in a
timely fashion.

**SECTION 3195.** 304.06 (1) (eg) of the statutes is amended to read:

304.06 (1) (eg) The parole earned release review commission shall permit any
person under par. (c) 3. to attend any interview or hearing on the parole application
for parole, release to extended supervision, or termination of extended supervision
of an applicable inmate and to make a statement at that interview or hearing.

**SECTION 3196.** 304.06 (1) (em) of the statutes is amended to read:

304.06 (1) (em) The parole earned release review commission shall promulgate
rules that provide a procedure to allow any person who is a victim, or a family
member of a victim, of a crime specified in s. 940.01, 940.03, 940.05, 940.225 (1) or,
(2), or (3), 948.02 (1) or (2), 948.025, 948.06 or 948.07 to have direct input in the parole
decision-making process for parole, release to extended supervision, or termination
of extended supervision.

**SECTION 3197.** 304.06 (1) (f) of the statutes is amended to read:

304.06 (1) (f) The parole earned release review commission shall design and
prepare cards for persons specified in par. (c) 3. to send to the commission. The cards
shall have space for these persons to provide their names and addresses, the name
of the applicable prisoner and any other information the parole earned release
review commission determines is necessary. The parole earned release review
commission shall provide the cards, without charge, to district attorneys. District
attorneys shall provide the cards, without charge, to persons specified in par. (c) 3.
These persons may send completed cards to the parole earned release review
commission. All commission records or portions of records that relate to mailing addresses of these persons are not subject to inspection or copying under s. 19.35 (1). Before any written statement of a person specified in par. (c) 3. is made a part of the documentary record considered in connection with a parole hearing for parole, release to extended supervision, or termination of extended supervision under this section, the parole earned release review commission shall obliterate from the statement all references to the mailing addresses of the person. A person specified in par. (c) 3. who attends an interview or hearing under par. (eg) may not be required to disclose at the interview or hearing his or her mailing addresses.

**SECTION 3198.** 304.06 (1) (g) of the statutes is amended to read:

304.06 (1) (g) Before a person is released on parole or released to extended supervision under this subsection, the parole earned release review commission shall so notify the municipal police department and the county sheriff for the area where the person will be residing. The notification requirement under this paragraph does not apply if a municipal department or county sheriff submits to the parole earned release review commission a written statement waiving the right to be notified. If applicable, the department shall also comply with s. 304.063.

**SECTION 3199.** 304.06 (1m) (intro.) of the statutes is amended to read:

304.06 (1m) (intro.) The parole earned release review commission may waive the 25% or 6-month service of sentence requirement under sub. (1) (b) under any of the following circumstances:

**SECTION 3200.** 304.06 (1q) (b) of the statutes is amended to read:

304.06 (1q) (b) The parole earned release review commission or the department may require as a condition of parole or that a serious child sex offender undergo pharmacological treatment using an antiandrogen or the chemical equivalent of an
antiandrogen. This paragraph does not prohibit the department from requiring pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen as a condition of probation.

**SECTION 3201.** 304.06 (1q) (c) of the statutes is amended to read:

304.06 (1q) (c) In deciding whether to grant a serious child sex offender release on parole under this subsection, the parole earned release review commission may not consider, as a factor in making its decision, that the offender is a proper subject for pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen or that the offender is willing to participate in pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen.

**SECTION 3202.** 304.06 (1x) of the statutes is amended to read:

304.06 (1x) The parole earned release review commission may require as a condition of parole that the person is placed in the intensive sanctions program under s. 301.048. In that case, the person is in the legal custody of the department under that section and is subject to revocation of parole under sub. (3).

**SECTION 3203.** 304.06 (2m) (d) of the statutes is amended to read:

304.06 (2m) (d) The parole earned release review commission or the department shall determine a prisoner’s county of residence for the purposes of this subsection by doing all of the following:

1. The parole earned release review commission or the department shall consider residence as the voluntary concurrence of physical presence with intent to remain in a place of fixed habitation and shall consider physical presence as prima facie evidence of intent to remain.

2. The parole earned release review commission or the department shall apply the criteria for consideration of residence and physical presence under subd. 1. to the
facts that existed on the date that the prisoner committed the serious sex offense that
resulted in the sentence the prisoner is serving.

SECTION 3203. 304.071 (1) of the statutes is amended to read:

304.071 (1) The parole earned release review commission may at any time
grant a parole or release to extended supervision to any prisoner in any penal
institution of this state, or the department may at any time suspend the supervision
of any person who is on probation or parole or extended supervision to the
department, if the prisoner or person on probation or parole or extended supervision
is eligible for induction into the U.S. armed forces. The suspension of parole,
extended supervision, or probation shall be for the duration of his or her service in
the armed forces; and the parole, extended supervision, or probation shall again
become effective upon his or her discharge from the armed forces in accordance with
regulations prescribed by the department. If he or she receives an honorable
discharge from the armed forces, the governor may discharge him or her and the
discharge has the effect of a pardon. Upon the suspension of parole, extended
supervision, or probation by the department, the department shall issue an order
setting forth the conditions under which the parole, extended supervision, or
probation is suspended, including instructions as to where and when and to whom
the paroled person on parole or extended supervision shall report upon discharge
from the armed forces.

SECTION 3210. 341.51 (4) (an) of the statutes is amended to read:

341.51 (4) (an) If the applicant is an individual who does not have a social
security number, a statement made or subscribed under oath or affirmation that the
applicant does not have a social security number. The form of the statement shall
be prescribed by the department of workforce development children and families. A
registration that is issued under this section in reliance on a statement submitted
under this paragraph is invalid if the statement is false.

SECTION 3211. 341.51 (4g) (b) of the statutes is amended to read:

341.51 (4g) (b) The department of transportation may not disclose any
information obtained under sub. (4) (am) or (ar) to any person except to the
department of workforce development children and families for the sole purpose of
administering s. 49.22 or the department of revenue for the sole purpose of
requesting certifications under s. 73.0301.

SECTION 3212. 341.51 (4m) (a) of the statutes is amended to read:

341.51 (4m) (a) A registration shall be denied, restricted, limited or suspended
if the applicant or licensee is an individual who is delinquent in making
court-ordered payments of child or family support, maintenance, birth expenses,
medical expenses or other expenses related to the support of a child or former spouse,
or who fails to comply, after appropriate notice, with a subpoena or warrant issued
by the department of workforce development children and families or a county child
support agency under s. 59.53 (5) and related to paternity or child support
proceedings, as provided in a memorandum of understanding entered into under s.
49.857.

SECTION 3213. 342.06 (1) (eg) of the statutes is amended to read:

342.06 (1) (eg) Except as provided in par. (eh), if the applicant is an individual,
the social security number of the applicant. The department of transportation may
not disclose a social security number obtained under this paragraph to any person
except to the department of workforce development children and families for the sole
purpose of administering s. 49.22 and to the department of revenue for the purposes
of administering state taxes and collecting debt.
**SECTION 3214.** 342.06 (1) (eh) of the statutes is amended to read:

342.06 (1) (eh) If the applicant does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A certificate of title that is issued in reliance on a statement submitted under this paragraph is invalid if the statement is false.

**SECTION 3216.** 342.14 (1r) of the statutes is amended to read:

342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental impact fee of $9, by the person filing the application. All moneys collected under this subsection shall be credited to the environmental fund for environmental management. This subsection does not apply after December 31, 2007 2009.

**SECTION 3217.** 342.14 (3m) of the statutes is amended to read:

342.14 (3m) Upon filing an application under sub. (1) or (3), a supplemental title fee of $7.50 $9.50 by the owner of the vehicle, except that this fee shall be waived with respect to an application under sub. (3) for transfer of a decedent's interest in a vehicle to his or her surviving spouse. The fee specified under this subsection is in addition to any other fee specified in this section.

**SECTION 3244b.** 343.14 (2) (br) of the statutes is amended to read:

343.14 (2) (br) If the applicant does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A license that is issued or renewed under s. 343.17 in reliance on a statement submitted under this paragraph is invalid if the statement is false.
SECTION 3249b. 343.14 (2j) (b) of the statutes, as affected by 2005 Wisconsin Acts 25 and 59, is repealed and recreated to read:

343.14 (2j) (b) Except as otherwise required to administer and enforce this chapter, the department of transportation may not disclose a social security number obtained from an applicant for a license under sub. (2) (bm) to any person except to the department of children and families for the sole purpose of administering s. 49.22 or to the department of revenue for the purposes of administering state taxes and collecting debt.

SECTION 3303. 343.305 (6) (e) 2. am. of the statutes is amended to read:

343.305 (6) (e) 2. am. In the case of an individual who does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A permit or approval that is issued or renewed under this section in reliance on a statement submitted under this subd. 2. am. is invalid if the statement is false.

SECTION 3304. 343.305 (6) (e) 3. b. of the statutes is amended to read:

343.305 (6) (e) 3. b. The licensor may not disclose any information received under subd. 2. a. or b. except to the department of workforce development children and families for purposes of administering s. 49.22 or the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 3351. 343.345 of the statutes is amended to read:

343.345 Restriction, limitation or suspension of operating privilege.

The department shall restrict, limit or suspend a person’s operating privilege if the person is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the
support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3387m. 343.50 (8) (b) of the statutes is amended to read:

343.50 (8) (b) The department may not disclose any record or other information concerning or relating to an applicant or identification card holder to any person other than a court, district attorney, county corporation counsel, city, village or town attorney, law enforcement agency, the applicant or identification card holder or, if the applicant or identification card holder is under 18 years of age, his or her parent or guardian. Except for photographs disclosed to a law enforcement agency under s. 343.237, persons entitled to receive any record or other information under this paragraph shall not disclose the record or other information to other persons or agencies. This paragraph does not prohibit the disclosure of a person’s name or address, of the name or address of a person’s employer or of financial information that relates to a person when requested under s. 49.22 (2m) by the department of workforce development children and families or a county child support agency under s. 59.53 (5).

SECTION 3391. 343.61 (2) (a) 1m. of the statutes is amended to read:

343.61 (2) (a) 1m. In the case of an individual who does not have a social security number, a statement made or subscribed under oath or affirmation that the individual does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A
license that is issued by the department in reliance on a statement submitted under this subdivision is invalid if the statement is false.

SECTION 3392. 343.61 (2) (b) of the statutes is amended to read:

343.61 (2) (b) The department of transportation may not disclose any information received under par. (a) 1. or 2. to any person except to the department of workforce development children and families for purposes of administering s. 49.22 or the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 3393. 343.62 (2) (am) of the statutes is amended to read:

343.62 (2) (am) If the applicant does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A license that is issued by the department in reliance on a statement submitted under this paragraph is invalid if the statement is false.

SECTION 3394. 343.62 (2) (b) of the statutes is amended to read:

343.62 (2) (b) The department of transportation may not disclose a social security number obtained under par. (a) to any person except to the department of workforce development children and families for the sole purpose of administering s. 49.22 or the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 3395. 343.66 (2) of the statutes is amended to read:

343.66 (2) The secretary shall deny, restrict, limit or suspend any driver school license issued under s. 343.61 or instructor’s license issued under s. 343.62 or refuse to renew a driver school license or instructor’s license if the applicant or licensee is
an individual who is delinquent in making court-ordered payments of child or family
support, maintenance, birth expenses, medical expenses or other expenses related
to the support of a child or former spouse, or who fails to comply, after appropriate
notice, with a subpoena or warrant issued by the department of workforce
development children and families or a county child support agency under s. 59.53
(5) and related to paternity or child support proceedings, as provided in a
memorandum of understanding entered into under s. 49.857.

SECTION 3395. Section 3395 of the statutes is amended to read:

349.19 Authority to require accident reports. Any city, village, town or
county may by ordinance require the operator of a vehicle involved in an accident to
file with a designated municipal department or officer a report of such accident or
a copy of any report required to be filed with the department. All such reports are
for the confidential use of such department or officer and are otherwise subject to s.
346.73, except that this section does not prohibit the disclosure of a person’s name
or address, of the name or address of a person’s employer or of financial information
that relates to a person when requested under s. 49.22 (2m) to the department of
workforce development children and families or a county child support agency under
under s. 59.53 (5).

SECTION 3436. Section 3436 of the statutes is amended to read:

350.055 (1) The department shall establish a program of instruction on
snowmobile laws, including the intoxicated snowmobiling law, regulations, safety
and related subjects. The program shall be conducted by instructors certified by the
department. The department may procure liability insurance coverage for certified
instructors for work within the scope of their duties under this section. For each
person who is under the age of 16 years, the program shall include 6 hours of
classroom instruction, and the instructor may provide to the person up to 2
additional hours of instruction on a snowmobile as to how it is actually operated.
Each person satisfactorily completing this program shall receive a snowmobile
safety certificate from the department. The department shall establish by rule an
instruction fee for this program. An instructor conducting a program of instruction
under this section shall collect the instruction fee from each person who receives
instruction. The department may determine the portion of this fee, which may not
exceed 50%, that the instructor may retain to defray expenses incurred by the
instructor in conducting the program. The instructor shall remit the remainder of
the fee or, if nothing is retained, the entire fee to the department. The department
shall issue a duplicate certificate of accomplishment to a person who is entitled to a
duplicate certificate of accomplishment and who pays a fee of $2.75.

(2) A person who is required to hold a valid snowmobile safety certificate may
operate a snowmobile in this state if the person holds a valid snowmobile safety
certificate issued by another state or province of the Dominion of Canada and if the
course content of the program in such other state or province substantially meets
that established by the department under this section.

SECTION 3449. 440.03 (9) (intro.) of the statutes is renumbered 440.03 (9) (a)
(intro.) and amended to read:

440.03 (9) (a) (intro.) The Subject to pars. (b) and (c), the department shall
include all of the following with each biennial budget request that it makes under s.
16.42, biennially, determine each fee for an initial credential for which no
examination is required, for a reciprocal credential, and for a credential renewal by
doing all of the following:
SECTION 3450. 440.03 (9) (a) of the statutes is renumbered 440.03 (9) (a) 1. and amended to read:

440.03 (9) (a) 1. A recalculation of the administrative and enforcement costs of the department that are attributable to the regulation of each occupation or business under chs. 440 to 480 and that are included in the budget request.

SECTION 3451. 440.03 (9) (b) of the statutes is renumbered 440.03 (9) (a) 2. and amended to read:

440.03 (9) (a) 2. A recommended change to Not later than January 31 of each odd-numbered year, adjusting for the succeeding fiscal biennium each fee specified under s. 440.05 (1) for an initial credential for which an examination is not required, under s. 440.05 (2) for a reciprocal credential, and under subject to s. 440.08 (2) (a), for a credential renewal, if the change an adjustment is necessary to reflect the approximate administrative and enforcement costs of the department that are attributable to the regulation of the particular occupation or business during the period in which the initial or reciprocal credential or credential renewal is in effect and, for purposes of the recommended change to each fee specified under s. 440.08 (2) (a) for a credential renewal, to reflect an estimate of any additional moneys available for the department's general program operations, during the budget period to which the biennial budget request applies, as a result of appropriation transfers that have been or are estimated to be made under s. 20.165 (1) (i) prior to and during that budget period during the fiscal biennium in progress at the time of the deadline for an adjustment under this subdivision or during the fiscal biennium beginning on the July 1 immediately following the deadline for an adjustment under this subdivision.
(b) The department may not recommend an initial credential fee that exceeds
the amount of the fee that the department recommends for a renewal of the same
credential, if no examination is required for the initial credential.

SECTION 3452. 440.03 (9) (c) of the statutes is created to read:
440.03 (9) (c) The cemetery board may by rule impose a fee in addition to the
renewal fee determined by the department under this subsection for renewal of a
license granted under s. 440.91 (1).

SECTION 3453. 440.03 (9) (d) of the statutes is created to read:
440.03 (9) (d) Not later than 14 days after completing proposed fee adjustments
under par. (a), the department shall send a report detailing the proposed fee
adjustments to the cochairpersons of the joint committee on finance. If, within 14
working days after the date that the department submits the report, the
cochairpersons of the committee notify the secretary that the committee has
scheduled a meeting for the purpose of reviewing the proposed adjustments, the
department may not impose the fee adjustments until the committee approves the
report. If the cochairpersons of the committee do not notify the secretary, the
department shall notify credential holders of the fee adjustments by posting the fee
adjustments on the department’s Internet Web site and in credential renewal notices
sent to affected credential holders under s. 440.08 (1).

SECTION 3454. 440.03 (11m) (am) of the statutes is amended to read:
440.03 (11m) (am) If an applicant specified in par. (a) 1. or 2. is an individual
who does not have a social security number, the applicant shall submit a statement
made or subscribed under oath that the applicant does not have a social security
number. The form of the statement shall be prescribed by the department of
workforce development children and families. A credential or license issued in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 3455. 440.03 (11m) (c) of the statutes is amended to read:

440.03 (11m) (c) The department of regulation and licensing may not disclose a social security number obtained under par. (a) to any person except the coordinated licensure information system under s. 441.50 (7); the department of workforce development children and families for purposes of administering s. 49.22; and, for a social security number obtained under par. (a) 1., the department of revenue for the purpose of requesting certifications under s. 73.0301 and administering state taxes.

SECTION 3456. 440.03 (12m) of the statutes is amended to read:

440.03 (12m) The department of regulation and licensing shall cooperate with the departments of justice, children and families, and health and family services in developing and maintaining a computer linkup to provide access to information regarding the current status of a credential issued to any person by the department of regulation and licensing, including whether that credential has been restricted in any way.

SECTION 3458. 440.03 (14) (a) 1. c. of the statutes is amended to read:

440.03 (14) (a) 1. c. The person pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a) and files with the department evidence satisfactory to the department that he or she is certified, registered or accredited as required under subd. 1. a.

SECTION 3459. 440.03 (14) (a) 2. c. of the statutes is amended to read:

440.03 (14) (a) 2. c. The person pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a) and files with the
department evidence satisfactory to the department that he or she is certified, registered or accredited as required under subd. 2. a.

**SECTION 3460.** 440.03 (14) (a) 3. c. of the statutes is amended to read:

440.03 (14) (a) 3. c. The person pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a) and files with the department evidence satisfactory to the department that he or she is certified, registered or accredited as required under subd. 3. a.

**SECTION 3461.** 440.03 (14) (am) of the statutes is amended to read:

440.03 (14) (am) The department may promulgate rules that establish requirements for granting a license to practice psychotherapy to a person who is registered under par. (a). Rules promulgated under this paragraph shall establish requirements for obtaining such a license that are comparable to the requirements for obtaining a clinical social worker, marriage and family therapist, or professional counselor license under ch. 457. If the department promulgates rules under this paragraph, the department shall grant a license under this paragraph to a person registered under par. (a) who pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a) and provides evidence satisfactory to the department that he or she satisfies the requirements established in the rules.

**SECTION 3462.** 440.03 (14) (c) of the statutes is amended to read:

440.03 (14) (c) The renewal dates for certificates granted under par. (a) and licenses granted under par. (am) are specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the department
that the person's certification, registration, or accreditation specified in par. (a) 1. a.,
2. a., or 3. a. has not been revoked.

SECTION 3463. 440.05 (1) (a) of the statutes is amended to read:

440.05 (1) (a) Initial credential: $53 An amount determined by the department
under s. 440.03 (9) (a). Each applicant for an initial credential shall pay the initial
credential fee to the department when the application materials for the initial
credential are submitted to the department.

SECTION 3464. 440.05 (2) of the statutes is amended to read:

440.05 (2) Reciprocal credential, including any credential described in s.
440.01 (2) (d) and any credential that permits temporary practice in this state in
whole or in part because the person holds a credential in another jurisdiction: The
applicable credential renewal fee under s. 440.08 (2) (a) determined by the
department under s. 440.03 (9) (a) and, if an examination is required, an
examination fee under sub. (1).

SECTION 3465L. 440.08 (2) (a) (intro.) and 1. to 28. of the statutes are amended
to read:

440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
444.03, 444.11, 448.065, 447.04 (2) (c) 2., 449.17 (1m) (d), and 449.18 (2) (d), the
renewal dates and renewal fees for credentials are as follows:
1. Accountant, certified public: December 15 of each odd-numbered year; $59.
3. Accounting corporation or partnership: December 15 of each odd-numbered
year; $56.
4. Acupuncturist: July 1 of each odd-numbered year; $70.
4m. Advanced practice nurse prescriber: October 1 of each even-numbered
year; $73.
5. Aesthetician: April 1 of each odd-numbered year; $87.

6. Aesthetics establishment: April 1 of each odd-numbered year; $70.

7. Aesthetics instructor: April 1 of each odd-numbered year; $70.

8. Aesthetics school: April 1 of each odd-numbered year; $115.

9. Aesthetics specialty school: April 1 of each odd-numbered year; $53.

9m. Substance abuse counselor, clinical supervisor, or prevention specialist: except as limited in s. 440.88 (4), March 1 of each odd-numbered year; $70.

11. Appraiser, real estate, certified general: December 15 of each odd-numbered year; $162.

11m. Appraiser, real estate, certified residential: December 15 of each odd-numbered year; $167.

12. Appraiser, real estate, licensed: December 15 of each odd-numbered year; $185.

13. Architect: August 1 of each even-numbered year; $60.

14. Architectural or engineering firm, partnership or corporation: February 1 of each even-numbered year; $70.

14d. Athlete agent: July 1 of each even-numbered year; $53.

14f. Athletic trainer: July 1 of each even-numbered year; $53.

14g. Auction company: December 15 of each even-numbered year; $56.

14r. Auctioneer: December 15 of each even-numbered year; $174.

15. Audiologist: February 1 of each odd-numbered year; $106.

16. Barbering or cosmetology establishment: April 1 of each odd-numbered year; $56.

17. Barbering or cosmetology instructor: April 1 of each odd-numbered year; $91.
18. Barbering or cosmetology manager: April 1 of each odd-numbered year; $71.

19. Barbering or cosmetology school: April 1 of each odd-numbered year; $138.

20. Barber or cosmetologist: April 1 of each odd-numbered year; $63.

21. Cemetery authority, licensed: December 15 of each even-numbered year; $343, plus an amount to be determined by rule by the cemetery board.

22. Cemetery preneed seller: December 15 of each even-numbered year; $61.

23. Cemetery salesperson: December 15 of each even-numbered year; $90.

23m. Charitable organization: August 1 of each year; $15.

24. Chiropractor: December 15 of each even-numbered year; $168.

24m. Crematory authority: January 1 of each even-numbered year; $53.

25. Dental hygienist: October 1 of each odd-numbered year; $57.

26. Dentist: October 1 of each odd-numbered year; $131.

26m. Dentist, faculty member: October 1 of each odd-numbered year; $131.

27. Designer of engineering systems: February 1 of each even-numbered year; $58.

27m. Dietitian: November 1 of each even-numbered year; $56.

28. Drug distributor: June 1 of each even-numbered year; $70.

SECTION 3465pr. 440.08 (2) (a) 29. to 71. of the statutes are amended to read:

29. Drug manufacturer: June 1 of each even-numbered year; $70.

30. Electrologist: April 1 of each odd-numbered year; $76.

31. Electrology establishment: April 1 of each odd-numbered year; $56.

32. Electrology instructor: April 1 of each odd-numbered year; $86.

33. Electrology school: April 1 of each odd-numbered year; $71.
34. Electrology specialty school: April 1 of each odd-numbered year; $53.
35. Engineer, professional: August 1 of each even-numbered year; $58.
35m. Fund-raising counsel: September 1 of each even-numbered year; $53.
36. Funeral director: December 15 of each odd-numbered year; $135.
37. Funeral establishment: June 1 of each odd-numbered year; $56.
38. Hearing instrument specialist: February 1 of each odd-numbered year; $106.
38g. Home inspector: December 15 of each even-numbered year; $53.
38m. Landscape architect: August 1 of each even-numbered year; $56.
39. Land surveyor: February 1 of each even-numbered year; $77.
42. Manicuring establishment: April 1 of each odd-numbered year; $53.
43. Manicuring instructor: April 1 of each odd-numbered year; $53.
44. Manicuring school: April 1 of each odd-numbered year; $118.
45. Manicuring specialty school: April 1 of each odd-numbered year; $53.
46. Manicurist: April 1 of each odd-numbered year; $133.
46m. Marriage and family therapist: March 1 of each odd-numbered year; $84.
46r. Massage therapist or bodyworker: March 1 of each odd-numbered year; $53.
46w. Midwife, licensed: July 1 of each even-numbered year; $56.
48. Nurse, licensed practical: May 1 of each odd-numbered year; $69.
49. Nurse, registered: March 1 of each even-numbered year; $66.
50. Nurse-midwife: March 1 of each even-numbered year; $70.
51. Nursing home administrator: July 1 of each even-numbered year; $120.
52. Occupational therapist: November 1 of each odd-numbered year; $59.
53. Occupational therapy assistant: November 1 of each odd-numbered year; $62.

54. Optometrist: December 15 of each odd-numbered year; $65.

54m. Perfusionist: November 1 of each odd-numbered year; $56.

55. Pharmacist: June 1 of each even-numbered year; $97.

56. Pharmacy, in-state and out-of-state: June 1 of each even-numbered year; $56.

57. Physical therapist: November 1 of each odd-numbered year; $62.

57m. Physical therapist assistant: November 1 of each odd-numbered year; $44.

58. Physician: November 1 of each odd-numbered year; $106.

59. Physician assistant: November 1 of each odd-numbered year; $72.

60. Podiatrist: November 1 of each odd-numbered year; $150.

61. Private detective: September 1 of each even-numbered year; $101.

62. Private detective agency: September 1 of each odd-numbered year; $53.

63. Private practice school psychologist: October 1 of each odd-numbered year; $103.

63g. Private security person: September 1 of each even-numbered year; $53.

63m. Professional counselor: March 1 of each odd-numbered year; $76.

63t. Professional fund-raiser: September 1 of each even-numbered year; $93.

63u. Professional geologist: August 1 of each even-numbered year; $59.

63v. Professional geology, hydrology or soil science firm, partnership or corporation: August 1 of each even-numbered year; $53.

63w. Professional hydrologist: August 1 of each even-numbered year; $53.

63x. Professional soil scientist: August 1 of each even-numbered year; $53.
64. Psychologist: October 1 of each odd-numbered year; $157.

65. Real estate broker: December 15 of each even-numbered year; $128.

66. Real estate business entity: December 15 of each even-numbered year; $56.

67. Real estate salesperson: December 15 of each even-numbered year; $83.

67m. Registered interior designer: August 1 of each even-numbered year; $56.

67v. Registered music, art or dance therapist: October 1 of each odd-numbered year; $53.

67x. Registered music, art, or dance therapist with psychotherapy license: October 1 of each odd-numbered year; $53.

68. Respiratory care practitioner: November 1 of each odd-numbered year; $65.

68b. Sanitarian: January 1 of each even-numbered year; $53.

68d. Social worker: March 1 of each odd-numbered year; $63.

68h. Social worker, advanced practice: March 1 of each odd-numbered year; $70.

68p. Social worker, independent: March 1 of each odd-numbered year; $58.

68t. Social worker, independent clinical: March 1 of each odd-numbered year; $73.

68v. Speech-language pathologist: February 1 of each odd-numbered year; $63.

69. Time-share salesperson: December 15 of each even-numbered year; $119.

70. Veterinarian: December 15 of each odd-numbered year; $105.

71. Veterinary technician: December 15 of each odd-numbered year; $58.

SECTION 3466. 440.08 (2) (c) of the statutes is amended to read:
440.08 (2) (c) Except as provided in sub. (3), renewal applications shall include the applicable renewal fee specified in pars. (a) and (b) as determined by the department under s. 440.03 (9) (a) or as specified in par. (b).

**SECTION 3467.** 440.08 (3) (a) of the statutes is amended to read:

440.08 (3) (a) Except as provided in rules promulgated under par. (b), if the department does not receive an application to renew a credential before its renewal date, the holder of the credential may restore the credential by payment of the applicable renewal fee specified in sub. (2) (a) determined by the department under s. 440.03 (9) (a) and by payment of a late renewal fee of $25.

**SECTION 3468.** 440.13 (1) (b) of the statutes is amended to read:

440.13 (1) (b) “Memorandum of understanding” means a memorandum of understanding entered into by the department of regulation and licensing and the department of workforce development, children and families under s. 49.857.

**SECTION 3469.** 440.13 (2) (a) of the statutes is amended to read:

440.13 (2) (a) With respect to a credential granted by the department, the department shall restrict, limit or suspend a credential or deny an application for an initial credential or for reinstatement of an inactive license under s. 452.12 (6) (e) if the credential holder or applicant is delinquent in paying support or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development, children and families or a county child support agency under s. 59.53 (5) and related to support or paternity proceedings.

**SECTION 3470.** 440.13 (2) (b) of the statutes is amended to read:

440.13 (2) (b) With respect to credential renewal, the department shall deny an application for renewal if the applicant is delinquent in paying support or fails to comply, after appropriate notice, with a subpoena or warrant issued by the
department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to support or paternity proceedings.

**SECTION 3471.** 440.26 (3) of the statutes is amended to read:

440.26 (3) **ISSUANCE OF LICENSES; FEES.** Upon receipt and examination of an application executed under sub. (2), and after any investigation that it considers necessary, the department shall, if it determines that the applicant is qualified, grant the proper license upon payment of the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). No license shall be issued for a longer period than 2 years, and the license of a private detective shall expire on the renewal date of the license of the private detective agency, even if the license of the private detective has not been in effect for a full 2 years. Renewals of the original licenses issued under this section shall be issued in accordance with renewal forms prescribed by the department and shall be accompanied by the applicable fees specified in s. 440.08 or determined by the department under s. 440.03 (9) (a). The department may not renew a license unless the applicant provides evidence that the applicant has in force at the time of renewal the bond or liability policy specified in this section.

**SECTION 3473.** 440.26 (5m) (a) 4. of the statutes is amended to read:

440.26 (5m) (a) 4. The individual pays to the department the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

**SECTION 3474.** 440.26 (5m) (b) of the statutes is amended to read:

440.26 (5m) (b) The renewal dates for permits issued under this subsection are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).
**SECTION 3476.** 440.42 (1) (c) of the statutes is amended to read:

440.42 (1) (c) The department shall issue a certificate of registration to each charitable organization that is registered under this subsection. Renewal applications shall be submitted to the department, on a form provided by the department, on or before the expiration date specified in s. 440.08 (2) (a) and shall include a registration statement that complies with sub. (2) and the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

**SECTION 3477.** 440.43 (1) (c) of the statutes is amended to read:

440.43 (1) (c) The department shall issue a certificate of registration to each fund-raising counsel that is registered under this subsection. Renewal applications shall be submitted to the department, on a form provided by the department, on or before the date specified in s. 440.08 (2) (a) and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the department that the fund-raising counsel maintains a bond that is approved under sub. (2).

**SECTION 3478.** 440.43 (5) of the statutes is amended to read:

440.43 (5) DEPARTMENT DISCLOSURE. The department shall not disclose information under sub. (4) (c) 1. except to the extent necessary for investigative or law enforcement purposes and except that the department may, if requested under s. 49.22 (2m), disclose information regarding the name, address or employer of or financial information related to an individual to the department of workforce development, children and families or a county child support agency under s. 59.53 (5).

**SECTION 3479.** 440.44 (1) (c) of the statutes is amended to read:
440.44 (1) (c) The department shall issue a certificate of registration to each professional fund-raiser that is registered under this subsection. Renewal applications shall be submitted to the department, on a form provided by the department, on or before the date specified in s. 440.08 (2) (a) and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the department that the professional fund-raiser maintains a bond that is approved under sub. (2).

SECTION 3480. 440.44 (10) of the statutes is amended to read:

440.44 (10) NONDISCLOSURE. The department may not disclose information under sub. (9) (a) 1. to any person except to the extent necessary for investigative or law enforcement purposes and except that the department may, if requested under s. 49.22 (2m), disclose information regarding the name, address or employer of or financial information related to an individual to the department of workforce development children and families or a county child support agency under s. 59.53 (5).

SECTION 3481. 440.62 (2) (a) of the statutes is amended to read:

440.62 (2) (a) An application for initial licensure or renewal or reinstatement of a license under this section shall be submitted to the department on a form provided by the department and shall be accompanied by the applicable fee specified in s. 440.05 (1) or 440.08 determined by the department under s. 440.03 (9) (a). Each application shall be accompanied by a surety bond acceptable to the department in the minimum sum of $25,000 for each location.

SECTION 3482. 440.63 (2) of the statutes is amended to read:

440.63 (2) APPLICATIONS; CERTIFICATION PERIOD. An application for initial certification or renewal or reinstatement of a certificate under this section shall be
submitted to the department on a form provided by the department. An application for initial certification shall include the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a), and the applicable penalty for late renewal under s. 440.08 (3) if the application is submitted late.

Section 3483. 440.71 (2) (a) of the statutes is amended to read:

440.71 (2) (a) Pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

Section 3484. 440.71 (3) of the statutes is amended to read:

440.71 (3) Renewal. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

Section 3485. 440.88 (4) of the statutes is amended to read:

440.88 (4) Applications; certification period. An application for certification as a substance abuse counselor, clinical supervisor, or prevention specialist under this section shall be made on a form provided by the department and filed with the department and shall be accompanied by the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). The renewal date and renewal fee for certification as a substance abuse counselor, clinical supervisor, or prevention specialist are is specified under s. 440.08 (2) (a) and the renewal fee for
such certifications is determined by the department under s. 440.03 (9) (a). Renewal of certification as a substance abuse counselor-in-training, a clinical supervisor-in-training, or a prevention specialist-in-training may be made only twice.

SECTION 3486. 440.91 (1) (b) 2. of the statutes is amended to read:

440.91 (1) (b) 2. The cemetery authority pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

SECTION 3487. 440.91 (1) (c) 1. of the statutes is amended to read:

440.91 (1) (c) 1. The renewal dates and renewal fees for licenses granted under par. (b) are specified in s. 440.08 (2) (a) and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a), except that a licensed cemetery authority is not required to renew its license if the cemetery authority sells less than 20 cemetery lots or mausoleum spaces at a cemetery during a calendar year, or that has less than $100,000 in preneed trust fund accounts for a cemetery.

SECTION 3488. 440.91 (2) (intro.) of the statutes is amended to read:

440.91 (2) (intro.) Except as provided in sub. (10), every person that sells or solicits the sale of, or that expects to sell or solicit the sale of, 20 or more cemetery lots or mausoleum spaces per year during 2 consecutive calendar years shall be licensed by the board. A person may not be licensed as a cemetery salesperson except upon the written request of a cemetery authority and the payment of the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). The cemetery authority shall certify in writing to the board that the person is competent to act as a cemetery salesperson. An applicant for licensure as a cemetery salesperson shall furnish to the board, in such form as the board prescribes, all of the following information:
**SECTION 3489.** 440.91 (4) of the statutes is amended to read:

440.91 (4) Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

**SECTION 3490.** 440.92 (1) (b) 2. of the statutes is amended to read:

440.92 (1) (b) 2. Pays the initial credential fee under s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

**SECTION 3491.** 440.92 (1) (c) of the statutes is amended to read:

440.92 (1) (c) Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

**SECTION 3492.** 440.92 (6) (d) of the statutes is amended to read:

440.92 (6) (d) All records described under pars. (b) 2. and (c) and maintained by the board are confidential and are not available for inspection or copying under s. 19.35 (1). This paragraph does not apply to any information regarding the name, address or employer of or financial information related to an individual that is requested under s. 49.22 (2m) by the department of workforce development children and families or a county child support agency under s. 59.53 (5).

**SECTION 3493.** 440.966 (1) of the statutes is amended to read:

440.966 (1) The renewal date and fees for a certificate of registration issued under this subchapter are specified in s. 440.08 (2) (a), and the renewal fee for such certificate of registration is determined by the department under s. 440.03 (9) (a).

**SECTION 3494.** 440.972 (2) of the statutes is amended to read:
440.972 (2) The renewal date and renewal fee for certificates granted under this section are specified under s. 440.08 (2) (a) 38g., and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a).

SECTION 3495. 440.98 (6) of the statutes is amended to read:

440.98 (6) APPLICATIONS. An application for a sanitarian registration under this section shall be made on a form provided by the department and filed with the department and shall be accompanied by the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). The renewal date and renewal fee for a sanitarian registration are specified under s. 440.08 (2) (a), and the renewal fee for such registration is determined by the department under s. 440.03 (9) (a).

SECTION 3496. 440.982 (1m) (b) of the statutes is amended to read:

440.982 (1m) (b) The person pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

SECTION 3497. 440.983 (1) of the statutes is amended to read:

440.983 (1) The renewal date for licenses granted under this subchapter is specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

SECTION 3498. 440.992 (1) of the statutes is amended to read:

440.992 (1) Except as otherwise provided in sub. (2), the department shall issue a certificate of registration to an individual who complies with s. 440.9915 (1) or whose application has been accepted under s. 440.9915 (2), if the individual has paid the initial credential fee specified in s. 440.05 (1) (a) determined by the department under s. 440.03 (9) (a).
SECTION 3499. 440.9935 of the statutes is amended to read:

440.9935 Renewal. The renewal date and fee for certificates of registration issued under this subchapter are specified in s. 440.08 (2) (a), and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a). Renewal applications shall be submitted to the department on a form provided by the department.

SECTION 3500. 441.06 (3) of the statutes is amended to read:

441.06 (3) A registered nurse practicing for compensation shall, on or before the applicable renewal date specified under s. 440.08 (2) (a), submit to the board on furnished forms a statement giving name, residence, and other facts that the board requires, with the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

SECTION 3501. 441.10 (3) (b) of the statutes is amended to read:

441.10 (3) (b) On or before the applicable renewal date specified under s. 440.08 (2) (a), a licensed practical nurse practicing for compensation shall submit to the board, on forms furnished by the department, an application for license renewal, together with a statement giving name, residence, nature and extent of practice as a licensed practical nurse during the prior year and prior unreported years, and other facts bearing upon current competency that the board requires, accompanied by the applicable license renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

SECTION 3502. 441.15 (3) (a) 2. of the statutes is amended to read:

441.15 (3) (a) 2. Pays the initial credential fee specified under s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

SECTION 3503. 441.15 (3) (b) of the statutes is amended to read:
441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08 (2) (a), a person issued a license under par. (a) and practicing nurse–midwifery shall submit to the board on furnished forms a statement giving his or her name, residence, and other information that the board requires by rule, with the applicable renewal fee specified under s. 440.08 (2) (a). If applicable, the person shall also submit evidence satisfactory to the board that he or she has in effect the malpractice liability insurance required under the rules promulgated under sub. (5) (bm). The board shall grant to a person who pays the fee specified under s. 440.08 (2) (a) for renewal of a license to practice nurse–midwifery and who satisfies the requirements of this paragraph the renewal of his or her license to practice nurse–midwifery and the renewal of his or her license to practice as a registered nurse.

**SECTION 3503b.** 441.15 (3) (b) of the statutes, as affected by 2007 Wisconsin Act ... (this act), is amended to read:

441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08 (2) (a), a person issued a license under par. (a) and practicing nurse–midwifery shall submit to the board on furnished forms a statement giving his or her name, residence, and other information that the board requires by rule, with the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a). If applicable, the person shall also submit evidence satisfactory to the board that he or she has in effect the malpractice liability insurance required under the rules promulgated under sub. (5) (bm). The board shall grant to a person who pays the fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) for renewal of a license to practice nurse–midwifery and who satisfies the requirements of this paragraph the renewal of his or her license to practice
nurse–midwifery and the renewal of his or her license to practice as a registered nurse.

**SECTION 3504.** 442.08 (1) of the statutes is amended to read:

442.08 (1) The department shall issue a license to an individual who holds an unrevoked certificate as a certified public accountant, submits an application for the license on a form provided by the department, and pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

**SECTION 3505.** 442.08 (2) (intro.) of the statutes is amended to read:

442.08 (2) (intro.) The department shall issue a license to a firm that submits an application for the license on a form provided by the department, pays the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a), and does each of the following:

**SECTION 3506.** 442.083 of the statutes is amended to read:

442.083 **Renewal.** The renewal dates and renewal fees for licenses issued under this chapter are specified under s. 440.08 (2) (a), and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a). The department may not renew a license issued to a firm unless, at the time of renewal, the firm satisfies the requirements under s. 442.08 (2) and demonstrates, to the satisfaction of the department, that the firm has complied with the requirements under s. 442.087.

**SECTION 3507.** 442.09 of the statutes is amended to read:

442.09 **Fees.** The fees for examination and licenses granted or renewed under this chapter are specified in ss. s. 440.05 and 440.08. The fee for renewal of such licenses is determined by the department under s. 440.03 (9) (a).

**SECTION 3508.** 443.07 (6) of the statutes is amended to read:
443.07 (6) The renewal date and renewal fee for permits under this section are
specified under s. 440.08 (2) (a), and the fee for renewal of such permits is
determined by the department under s. 440.03 (9) (a).

SECTION 3509. 443.08 (3) (a) of the statutes is amended to read:

443.08 (3) (a) A firm, partnership or corporation desiring a certificate of
authorization shall submit an application to the department on forms provided by
the department, listing the names and addresses of all officers and directors, and all
individuals in its employment registered or granted a permit to practice
architecture, professional engineering or designing in this state who will be in
responsible charge of architecture, professional engineering or designing being
practiced in this state through the firm, partnership or corporation and other
relevant information required by the examining board. A similar type of form shall
also accompany the renewal fee. If there is a change in any of these persons, the
change shall be reported on the same type of form, and filed with the department
within 30 days after the effective date of the change. The examining board shall
grant a certificate of authorization to a firm, partnership or corporation complying
with this subsection upon payment of the initial credential fee specified in s. 440.05
(1) determined by the department under s. 440.03 (9) (a). This subsection does not
apply to firms, partnerships or corporations exempt under s. 443.14 (3) or (5).

SECTION 3510. 443.08 (3) (b) of the statutes is amended to read:

443.08 (3) (b) The renewal date and renewal fee for certificates of authorization
under this section are specified under s. 440.08 (2) (a), and the fee for renewal of
such certificates is determined by the department under s. 440.03 (9) (a).

SECTION 3511. 443.10 (2) (b) of the statutes is amended to read:
443.10 (2) (b) The fees for examinations and licenses granted or renewed under this chapter are specified in ss. 440.05 and 440.08, and the fee for renewal of such licenses is determined by the department under s. 440.03 (9) (a).

 SECTION 3512. 443.10 (2) (e) of the statutes is amended to read:
443.10 (2) (e) The renewal date and renewal fee for certificates of registration for architects, landscape architects, and professional engineers are is specified under s. 440.08 (2) (a), and the fee for renewal of such certificates is determined by the department under s. 440.03 (9) (a).

 SECTION 3513. 443.10 (5) of the statutes is amended to read:
443.10 (5) Fees; renewals. The land surveyor's section shall grant a certificate of registration as a land surveyor to any applicant who has met the applicable requirements of this chapter. The renewal date and renewal fee for the certificate are is specified under s. 440.08 (2) (a), and the renewal fee for the certificate is determined by the department under s. 440.03 (9) (a).

 SECTION 3514. 445.04 (2) of the statutes is amended to read:
445.04 (2) No person may engage in the business of a funeral director, or make a representation as engaged in such business, in whole or in part, unless first licensed as a funeral director by the examining board. Application for a license, other than a renewal, shall be in writing and verified on a form to be furnished by the department. The application must specify the address at which the applicant proposes to conduct the business of a funeral director and shall contain such other information as the examining board requires to determine compliance with the requirements of this chapter. Accompanying the application shall be the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a), together with affidavits of recommendation from at least 2 persons of the
county in which the applicant resides or proposes to conduct the business of a funeral
director.

SECTION 3515. 445.06 of the statutes is amended to read:

445.06 Renewal of licenses. The renewal date and renewal fee for a funeral
directors’ license are specified under s. 440.08 (2) (a), and the renewal fee for such license is determined by the department under s. 440.03 (9) (a). Before any renewal license is delivered to any licensed funeral director, proof must be furnished by the applicant, to the satisfaction of the examining board, that the applicant is doing business at a recognized funeral establishment, except that if such applicant is not doing business at a recognized funeral establishment at the time of application for a license, the applicant shall be given a certificate, without additional cost, to the effect that the applicant is in good standing as a funeral director, and shall be entitled to a renewal license at any time during that license period, when located at a recognized funeral establishment, without payment of any additional renewal fee. The applicant must also furnish proof of completion of at least 15 hours of continuing education during the previous 2-year licensure period, except that new licensees are exempt from this requirement during the time between initial licensure and commencement of a full 2-year licensure period.

SECTION 3516. 445.105 (3) of the statutes is amended to read:

445.105 (3) Applications for funeral establishment permits shall be made on forms provided by the department and filed with the department and shall be accompanied by the initial credential fee specified under s. 440.05 (1) determined by the department under s. 440.03 (9) (a). The renewal date and renewal fee for a funeral establishment permit are specified under s. 440.08 (2) (a), and the renewal fee for such permit is determined by the department under s. 440.03 (9) (a).
**SECTION 3517.** 446.02 (4) of the statutes is amended to read:

446.02 (4) The renewal date and renewal fee for all licenses granted by the examining board are specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

**SECTION 3518.** 447.05 of the statutes is amended to read:

447.05 **Expiration and renewal.** Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a). The examining board may not renew a license to practice dental hygiene unless the applicant for renewal attests that he or she has complied with s. 447.055 and any rules promulgated by the department under s. 447.055 and that he or she has a current certification in cardiopulmonary resuscitation.

**SECTION 3519.** 448.07 (2) of the statutes is amended to read:

448.07 (2) **Fees.** The fees for examination and licenses granted or renewed under this subchapter are specified in ss. s. 440.05, and 440.08 the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

**SECTION 3520.** 448.55 (2) of the statutes is amended to read:

448.55 (2) The renewal dates for licenses granted under this subchapter, other than temporary licenses granted under rules promulgated under s. 448.53 (2), are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and proof of compliance with the requirements established in any rules promulgated under sub. (3).
SECTION 3521. 448.65 (2) (a) of the statutes is amended to read:

448.65 (2) (a) The renewal fee specified in s. 440.08 (2) (a) determined by the department under 440.03 (9) (a).

SECTION 3522. 448.86 (2) of the statutes is amended to read:

448.86 (2) The renewal dates for certificates granted under this subchapter, other than temporary certificates granted under s. 448.80, are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

SECTION 3523. 448.955 (2) (intro.) of the statutes is amended to read:

448.955 (2) (intro.) Renewal applications shall be submitted to the department on a form provided, subject to sub. (3), by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the affiliated credentialing board that the licensee has all of the following:

SECTION 3524. 448.967 (2) of the statutes is amended to read:

448.967 (2) The renewal dates for licenses granted under this subchapter are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and a statement attesting compliance with the continuing education requirements established in rules promulgated under s. 448.965 (1) (b).

SECTION 3525. 449.06 (1) of the statutes is amended to read:

449.06 (1) Persons practicing optometry shall, on or before the applicable renewal date specified under s. 440.08 (2) (a), register with the department, pay the
applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a), and provide evidence satisfactory to the examining board that he or she has complied with the rules promulgated under sub. (2m).

**Section 3526.** 449.17 (8) of the statutes is amended to read:

"449.17 (8) Reimbursement prohibited. No optometrist may be reimbursed under s. 49.46 (2) (a) 3. or 49.471 (11) for any increase in charges or separate charge which is attributable to the use of topical ocular diagnostic pharmaceutical agents."

**Section 3527.** 450.06 (2) (c) of the statutes is amended to read:

"450.06 (2) (c) The initial credential fee under s. 440.05 (1) determined by the department under s. 440.03 (9) (a) is paid."

**Section 3528.** 450.065 (2) (d) of the statutes is amended to read:

"450.065 (2) (d) Pays the initial credential fee under s. 440.05 (1) determined by the department under s. 440.03 (9) (a)."

**Section 3530at.** 450.07 (1) of the statutes is amended to read:

"450.07 (1) No person may engage in manufacturing in this state unless the person obtains a manufacturer’s license from the board. For the issuance of a license under this subsection, the applicant shall pay the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a)."

**Section 3531.** 450.08 (2) (a) of the statutes is amended to read:

"450.08 (2) (a) A pharmacist’s license may be renewed by complying with continuing education requirements under s. 450.085 and paying the applicable fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) on or before the applicable renewal date specified under s. 440.08 (2) (a). Failure to obtain renewal within the time period specified under this paragraph terminates the
right of the person to be licensed as a pharmacist, and such right can only be acquired
by passing an examination to the satisfaction of the board.

**SECTION 3532.** 450.08 (2) (b) of the statutes is amended to read:

450.08 (2) (b)  A pharmacy, manufacturer’s or distributor’s license may be
renewed by paying the applicable fee specified under s. 440.08 (2) (a) determined by
the department under s. 440.03 (9) (a) on or before the applicable renewal date
specified under s. 440.08 (2) (a).

**SECTION 3533.** 451.04 (4) of the statutes is amended to read:

451.04 (4) EXPIRATION AND RENEWAL. Renewal applications shall be submitted
to the department on a form provided by the department on or before the applicable
renewal date specified under s. 440.08 (2) (a) and shall include the applicable
renewal fee specified under s. 440.08 (2) (a) determined by the department under s.
440.03 (9) (a).

**SECTION 3534.** 452.025 (1) (c) of the statutes is amended to read:

452.025 (1) (c)  Each application for registration as a time−share salesperson
shall be accompanied by an initial credential fee specified in s. 440.05 (1) determined
by the department under s. 440.03 (9) (a) or the applicable renewal fee specified
under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a),
whichever is appropriate.

**SECTION 3535.** 452.025 (5) (b) of the statutes is amended to read:

452.025 (5) (b)  An application to renew a certificate of registration granted
under this section shall be submitted with the applicable renewal fee specified under
s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) on or before the
applicable renewal date specified under s. 440.08 (2) (a).

**SECTION 3536.** 452.10 (3) of the statutes is amended to read:
452.10 (3) The fees for examinations and licenses granted or renewed under this chapter are specified under ss. 440.05, and 440.08 the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

SECTION 3537. 452.12 (2) (c) of the statutes is amended to read:

452.12 (2) (c) Application for a business entity license shall be made on forms prescribed by the department, listing the names and addresses of all business representatives, and shall be accompanied by the initial credential fee specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a). If there is a change in any of the business representatives, the change shall be reported to the department, on the same form, within 30 days after the effective date of the change.

SECTION 3538. 452.12 (5) (a) of the statutes is amended to read:

452.12 (5) (a) Renewal applications for all licenses shall be submitted with the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) on or before the applicable renewal date specified under s. 440.08 (2) (a).

SECTION 3539. 452.12 (6) (e) 1. of the statutes is amended to read:

452.12 (6) (e) 1. If a person has registered as an inactive licensee before November 1, 1990, the department shall reinstate the person’s original license if that person applies to the department for reinstatement of his or her original license, pays the fees fee specified under s. 440.05 (1) (a) and (b), passes an examination under s. 452.09 (3) and completes the education requirements established by the department under par. (f).

SECTION 3540. 452.12 (6) (e) 2. of the statutes is amended to read:

452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after November 1, 1990, the department shall reinstate the person’s original license if that
person applies to the department for reinstatement of his or her original license, pays
the renewal fee specified under s. 440.08 (2) (a) determined by the department under
s. 440.03 (9) (a) for the original license and completes 12 hours of continuing
education as established by the department under par. (f). A person who is eligible
for reinstatement of his or her original license under this subdivision shall complete
the requirements for reinstatement under this subdivision before January 1, 1996,
or within 5 years after the date on which the person registered as an inactive licensee,
whichever is later.

SECTION 3541. 453.062 (1) of the statutes is amended to read:

453.062 (1) RENEWAL. The renewal dates and renewal fees for veterinary
licenses and veterinary technician certifications are specified under s. 440.08 (2) (a),
and the renewal fees for such licenses and certifications are determined by the
department under s. 440.03 (9) (a).

SECTION 3542. 454.06 (1) (a) of the statutes is amended to read:

454.06 (1) (a) The applicant pays the initial credential fee specified in s. 440.05
(1) determined by the department under s. 440.03 (9) (a), except as provided in s.
454.13 (1).

SECTION 3543. 454.06 (8) of the statutes is amended to read:

454.06 (8) EXPIRATION AND RENEWAL. The renewal date and renewal fee for
licenses issued under subs. (2) to (6) are specified under s. 440.08 (2) (a), and the
renewal fees for such licenses are determined by the department under s. 440.03 (9)
(a).

SECTION 3544. 454.08 (3) of the statutes is amended to read:

454.08 (3) The examining board shall issue an establishment license to any
person who pays the initial credential fee specified in s. 440.05 (1) determined by the
department under s. 440.03 (9) (a) and who satisfies the requirements established by the examining board by rule, including proof of ownership of the business. Any change of ownership shall be reported to the examining board by the new owner within 5 days after the change of ownership.

Section 3545. 454.08 (9) of the statutes is amended to read:

454.08 (9) The renewal date and renewal fee for licenses issued under this section are specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

Section 3546. 455.06 of the statutes is amended to read:

455.06 Renewals. The renewal date and renewal fee for licenses issued under s. 455.04 (1) and (4) are specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a). An applicant for renewal of a license shall include with his or her application proof of completion of continuing education programs or courses approved under s. 455.065 (4) for the minimum number of hours required in the rules promulgated under s. 455.065 (1).

Section 3547. 455.07 (2) of the statutes is amended to read:

455.07 (2) The fee for renewal of a license under this chapter is specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

Section 3548. 456.07 (2) of the statutes is amended to read:

456.07 (2) The application for a new certificate of registration shall include the applicable renewal fee specified under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the examining board that during the biennial period immediately preceding application for registration the applicant has attended a continuation education program or course of study. During the time between initial licensure and commencement of a full 2-year licensure period new
licensees shall not be required to meet continuing education requirements. All
registration fees are payable on or before the applicable renewal date specified under
s. 440.08 (2) (a).

SECTION 3549. 457.20 (3) (a) of the statutes is amended to read:

457.20 (3) (a) The renewal fee specified in s. 440.08 (2) (a) determined by the
department under s. 440.03 (9) (a).

SECTION 3550. 458.11 of the statutes is amended to read:

458.11Expiration and renewal. Renewal applications shall be submitted
to the department on a form provided by the department on or before the applicable
renewal date specified under s. 440.08 (2) (a) and shall include the applicable
renewal fee specified under s. 440.08 (2) (a) determined by the department under s.
440.03 (9) (a). Renewal of an appraiser certificate automatically renews the
individual’s appraiser license without payment of the renewal fee for the appraiser
license or completion of any additional continuing education requirements that
would otherwise be required for renewal of the appraiser license. Renewal
applications shall be accompanied by proof of completion of the continuing education
requirements in s. 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989
stats., and s. 458.08 (3) (b) 2. and (c) 2., 1991 stats., the department may not renew
a certificate that was granted under s. 458.06 (3) or (4) before May 29, 1993, unless
the holder of the certificate submits evidence satisfactory to the department that he
or she has successfully completed the applicable educational requirements specified
in rules promulgated under s. 458.085 (1) and the department may not renew a
certificate that was granted under s. 458.08 (3) before May 29, 1993, unless the
holder of the certificate submits evidence satisfactory to the department that he or
she has successfully completed the applicable education and experience
requirements specified in rules promulgated under s. 458.085 (1) and (2).

SECTION 3551. 459.09 (1) (a) of the statutes is amended to read:

        459.09 (1) (a) Pay to the department the applicable renewal fee specified under
        s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

SECTION 3552. 459.24 (5) (a) of the statutes is amended to read:

        459.24 (5) (a) The renewal fee specified in s. 440.08 (2) (a) determined by the
department under s. 440.03 (9) (a).

SECTION 3553. 460.07 (2) (a) of the statutes is amended to read:

        460.07 (2) (a) The renewal fee specified in s. 440.08 (2) (a) determined by the
department under s. 440.03 (9) (a).

SECTION 3554. 470.045 (3) (a) of the statutes is amended to read:

        470.045 (3) (a) A firm, partnership or corporation desiring a certificate of
authorization shall submit an application to the department on forms provided by
the department, listing the names and addresses of all officers and directors, and all
individuals in its employment licensed to practice professional geology, hydrology or
soil science in this state who will be in responsible charge of professional geology,
hydrology or soil science being practiced in this state through the firm, partnership
or corporation and other relevant information required by the appropriate section of
the examining board. A similar type of form shall also accompany the renewal fee.
If there is a change in any of these persons, the change shall be reported on the same
type of form, and filed with the department within 30 days after the effective date
of the change. The appropriate section of the examining board shall grant a
certificate of authorization to a firm, partnership or corporation complying with this
subsection upon payment of the initial credential fee specified in s. 440.05 (1)
determined by the department under s. 440.03 (9) (a). This subsection does not apply
to firms, partnerships or corporations exempt under s. 470.025 (3).

**SECTION 3555.** 470.045 (3) (b) of the statutes is amended to read:

> 470.045 (3) (b) The renewal date and renewal fee for certificates of
authorization under this section are specified under s. 440.08 (2) (a), and the
renewal fee for such certificates is determined by the department under s. 440.03 (9)
(a).

**SECTION 3556.** 470.07 of the statutes is amended to read:

**470.07 Renewal of licenses.** The renewal dates for licenses granted under
this chapter are specified under s. 440.08 (2) (a). Renewal applications shall be
submitted to the department on a form provided by the department and shall include
the renewal fee specified in s. 440.08 (2) (a) determined by the department under s.
440.03 (9) (a) and evidence satisfactory to the appropriate section of the examining
board that the applicant has completed any continuing education requirements
specified in rules promulgated under s. 470.03 (2).

**SECTION 3557.** 480.08 (3) (b) of the statutes is amended to read:

> 480.08 (3) (b) Pays the initial credential fee specified in s. 440.05 (1) determined
by the department under s. 440.03 (9) (a).

**SECTION 3558.** 480.08 (5) of the statutes is amended to read:

> 480.08 (5) Expiration and renewal. The renewal date and renewal fee for
certificates granted under this chapter, other than temporary certificates granted
under sub. (7), are specified under s. 440.08 (2) (a), and the renewal fee for
certificates granted under this chapter, other than temporary certificates granted
under sub. (7), is determined by the department under s. 440.03 (9) (a). Renewal
applications shall include evidence satisfactory to the department that the applicant
holds a current permit issued under s. 77.52 (9). A renewal application for an
auctioneer certificate shall be accompanied by proof of completion of continuing
education requirements under sub. (6).

**SECTION 3559.** 551.32 (1) (bm) 2. b. of the statutes is amended to read:

551.32 (1) (bm) 2. b. The division may disclose information under subd. 1. a.
to the department of workforce development children and families in accordance
with a memorandum of understanding under s. 49.857.

**SECTION 3560.** 551.32 (1) (bs) 1. of the statutes is amended to read:

551.32 (1) (bs) 1. If an applicant for the issuance or renewal of a license under
this section is an individual who does not have a social security number, the
applicant, as a condition of applying for or applying to renew the license, shall submit
a statement made or subscribed under oath or affirmation to the division that the
applicant does not have a social security number. The form of the statement shall
be prescribed by the department of workforce development children and families.

**SECTION 3561.** 551.34 (1m) (a) 3. of the statutes is amended to read:

551.34 (1m) (a) 3. The applicant is an individual who fails to comply, after
appropriate notice, with a subpoena or warrant issued by the department of
workforce development children and families or a county child support agency under
s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent
in making court−ordered payments of child or family support, maintenance, birth
expenses, medical expenses or other expenses related to the support of a child or
former spouse, as provided in a memorandum of understanding entered into under
s. 49.857. An applicant whose application is denied under this subdivision for
delinquent payments is entitled to a notice and hearing under s. 49.857 but is not
entitled to any other notice or hearing under this section.
SECTION 3562. 551.34 (1m) (b) of the statutes is amended to read:

551.34 (1m) (b) Unless s. 551.32 (1) (bs) 1. applies to the licensee, the division shall restrict or suspend a license under this subchapter if the licensee is an individual who fails to provide his or her social security number. The division shall restrict or suspend a license under this subchapter if the licensee is an individual who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development, children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. A licensee whose license is restricted or suspended under this paragraph is entitled to a notice and hearing under s. 49.857 but is not entitled to any other notice or hearing under this section.

SECTION 3563s. 560.031 of the statutes is amended to read:

560.031 Grants for ethanol production facilities. Notwithstanding ss. 560.135 (2), 560.138 (2) (a), and 560.17 (3), the department may not make a grant for an ethanol production facility on which construction begins after July 27, 2005, unless a competitive bidding process is used for the construction of the ethanol production facility.

SECTION 3564. 560.045 (1) of the statutes is amended to read:

560.045 (1) To the extent allowed under federal law or regulation, the department shall give priority in the awarding of grants under housing programs to grants for projects related to the redevelopment of brownfields, as defined in s. 560.60 (1v) 560.13 (1) (a).
SECTION 3564m. 560.12 of the statutes is repealed.

SECTION 3564p. 560.125 (3) (c) of the statutes is amended to read:

560.125 (3) (c) The applicant pays 30\%\% of the eligible costs for each idling reduction unit covered by a grant under this section without the use of grants, loans, or other financial assistance from this state or from a local governmental unit in this state.

SECTION 3564q. 560.125 (4) (c) (intro.) of the statutes is amended to read:

560.125 (4) (c) (intro.) Subject to par. (d), the department may make grants under this section from July 1, 2007, to June 30, 2011, of 70\%\% percent of the eligible costs for a total of not more than the following number of idling reduction units per applicant:

SECTION 3564r. 560.125 (4) (c) 6. a. of the statutes is repealed and recreated to read:

560.125 (4) (c) 6. a. Thirty.

SECTION 3564s. 560.125 (4) (c) 7. of the statutes is renumbered 560.125 (4) (c) 7. (intro.) and amended to read:

560.125 (4) (c) 7. (intro.) If the applicant owns and operates more than 2,500 truck tractors with post−1998 diesel truck engines, the greater of the following:

b. Three percent of the number of truck tractors with post−1998 diesel truck engines that the applicant owns and operates.

SECTION 3564t. 560.125 (4) (c) 7. a. of the statutes is created to read:

560.125 (4) (c) 7. a. One−hundred twenty−five.

SECTION 3564x. 560.126 of the statutes is created to read:
560.126 Renewable energy grants and loans. (1) The department may award a grant or make a loan from the appropriations under s. 20.143 (1) (ie) or (tm) to a business or researcher to fund any of the following projects:

(a) Research and development, including demonstration projects, into renewable energy technologies.

(b) Development of renewable energy sources and infrastructure in Wisconsin, including the conversion of nonrenewable energy sources to renewable energy sources.

(c) The commercial application of renewable energy technologies.

(d) The construction of one or more cellulosic ethanol production plants.

(2) (a) The department shall consider all of the following criteria to evaluate applications for a grant or loan under this section:

1. The extent to which the project will aid in the research, development, or use of renewable energy sources in Wisconsin.

2. The extent to which the project will improve the competitive position or enhance the capabilities of Wisconsin’s renewable energy industries.

3. Whether the project is one in which Wisconsin holds a competitive advantage over other states.

4. The likelihood that the project will lead to the commercial application of new practices or technologies that involve the development, production, processing, or distribution of renewable energy.

5. The extent to which the project will use existing, surplus, or by-products of natural resources in this state.
6. The extent to which the project will strengthen Wisconsin’s existing industries by converting wastes or by-products generated by existing industries into renewable energy.

7. The extent to which the project will develop technologies to increase the capacity of Wisconsin’s manufacturing industries to utilize renewable energy sources.

(b) The department may also consider the following criteria to evaluate applications for a grant or loan under this section:

1. The criteria under ss. 560.602 and 560.605.

2. Whether the applicant is a small business, a minority owned business under s. 560.80 (8), a locally owned business, or a farm.

3. The geographical distribution of grants awarded and loans made under this section.

(3) A grant under this section may not exceed 50 percent of the costs of an eligible project.

(4) In consultation with the department of agriculture, trade and consumer protection, the department of natural resources, and the public service commission, the department may promulgate rules necessary to administer this section.

**Section 3565g.** 560.13 (2) (a) (intro.) of the statutes is amended to read:

560.13 (2) (a) (intro.) Subject to subs. (4) and (5), from the appropriations appropriation under s. 20.143 (1) (br) and (qm) the department may make a grant to a person if all of the following apply:

**Section 3566m.** 560.135 of the statutes is repealed.

**Section 3568.** 560.14 (1) (ar) of the statutes is amended to read:
560.14 (1) (ar) “Brownfields” has the meaning given in s. 560.60 (1v) 560.13 (1)
(a).

SECTION 3569. 560.145 of the statutes is repealed.

SECTION 3570. 560.147 of the statutes is repealed.

SECTION 3571. 560.15 (2) (d) of the statutes is repealed.

SECTION 3572. 560.16 of the statutes is repealed.

SECTION 3573. 560.17 (1) (am) of the statutes is amended to read:
560.17 (1) (am) “Brownfields” has the meaning given in s. 560.60 (1v) 560.13
(1) (a).

SECTION 3574. 560.17 (1) (bm) of the statutes is amended to read:
560.17 (1) (bm) “Job” has the meaning given in s. 560.60 (10) means a position providing full-time equivalent employment. “Job” does not include initial training before an employment position begins.

SECTION 3575. 560.175 of the statutes is repealed.

SECTION 3577. 560.204 of the statutes is created to read:

560.204 Hardware and software used to maintain medical records. (1) The department shall implement a program to certify health care providers as eligible for the electronic medical records credit under ss. 71.07 (5i), 71.28 (5i), and 71.47 (5i).

(2) If the department certifies a health care provider under sub. (1), the department shall determine the amount of credits to allocate to the health care provider. The total amount of electronic medical records credits allocated to health care providers in any year may not exceed $10,000,000.
3 The department shall inform the department of revenue of every health
care provider certified under sub. (1) and the amount of credits allocated to the health
care provider.

4 The department, in consultation with the department of revenue, shall
promulgate rules to administer this section.

SECTION 3577k. 560.205 (1) (g) of the statutes is amended to read:

560.205 (1) (g) It is not engaged in real estate development, insurance,
banking, lending, lobbying, political consulting, professional services provided by
attorneys, accountants, business consultants, physicians, or health care
consultants, wholesale or retail trade, leisure, hospitality, transportation, or
construction, except construction of power production plants that derive energy from
a renewable resource, as defined in s. 196.378 (1) (h).

SECTION 3578. 560.205 (3) (d) of the statutes is amended to read:

560.205 (3) (d) Rules. The department of commerce, in consultation with the
department of revenue, shall promulgate rules to administer this section. The rules
shall further define “bona fide angel investment” for purposes of s. 71.07 (5d) (a) 1.
The rules shall limit the aggregate amount of tax credits under s. 71.07 (5d) that may
be claimed for investments in businesses certified under sub. (1) at $3,000,000 per
calendar year for calendar years beginning after December 31, 2004. The and
$5,500,000 per calendar year for calendar years beginning after December 31, 2007.
The rules shall also limit the aggregate amount of the tax credits under ss. 71.07 (5b),
71.28 (5b), and 71.47 (5b) that may be claimed for investments paid to fund managers
certified under sub. (2) at $3,500,000 per calendar year for calendar years beginning
after December 31, 2004, and $6,000,000 per calendar year for calendar years
beginning after December 31, 2007. The rules shall also provide that, for calendar
years beginning after December 31, 2007, no person may receive a credit under ss. 71.07 (5b) and (5d), 71.28 (5b), or 71.47 (5b) unless the person’s investment is kept in a certified business, or with a certified fund manager, for no less than 3 years.

**SECTION 3578h.** 560.207 of the statutes is created to read:

560.207 Dairy manufacturing facility investment credit.  
(1) The department of commerce shall implement a program to certify taxpayers as eligible for the dairy manufacturing facility investment credit under ss. 71.07 (3p), 71.28 (3p), and 71.47 (3p).

(2) If the department of commerce certifies a taxpayer under sub. (1), the department of commerce shall determine the amount of credits to allocate to that taxpayer. The total amount of dairy manufacturing facility investment credits allocated to taxpayers in fiscal year 2007–08 may not exceed $600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers in fiscal year 2008–09, and in each fiscal year thereafter, may not exceed $700,000.

(3) The department of commerce shall inform the department of revenue of every taxpayer certified under sub. (1) and the amount of credits allocated to the taxpayer.

(4) The department of commerce, in consultation with the department of revenue, shall promulgate rules to administer this section.

**SECTION 3580.** 560.26 of the statutes is repealed.

**SECTION 3581.** 560.275 (4) (e) of the statutes is amended to read:

560.275 (4) (e) Entrepreneurial and technology transfer grants. The total amount of grants under sub. (2) (e) may not exceed $500,000 $600,000 in any fiscal year.
**SECTION 3581a.** Subchapter II (title) of chapter 560 [precedes 560.30] of the statutes is renumbered 560.29 (title).

**SECTION 3581b.** 560.30 (intro.) of the statutes is renumbered 560.29 (1) (intro.) and amended to read:

560.29 **Certified capital companies.** (1) **DEFINITIONS.** (intro.) In this subchapter section:

**SECTION 3581c.** 560.30 (1) of the statutes is repealed.

**SECTION 3581d.** 560.30 (2) of the statutes is renumbered 560.29 (1) (a) and amended to read:

560.29 (1) (a) “Certified capital company” means a person that has been certified by the department under s. 560.31, 2005 stats., and that has not been decertified under s. 560.37 (3) or (3m), 2005 stats.

**SECTION 3581e.** 560.30 (3) of the statutes is repealed.

**SECTION 3581f.** 560.30 (4) of the statutes is renumbered 560.29 (1) (b) and amended to read:

560.29 (1) (b) “Certified capital investment” means an investment in a certified capital company that is certified under s. 560.32 (2), 2005 stats., and that fully funds either the investor’s equity interest in a certified capital company, a qualified debt instrument that a certified capital company issues, or both.

**SECTION 3581g.** 560.30 (5) of the statutes is renumbered 560.29 (1) (c).

**SECTION 3581h.** 560.30 (6) of the statutes is renumbered 560.29 (1) (d).

**SECTION 3581i.** 560.30 (7) of the statutes is renumbered 560.29 (1) (e).

**SECTION 3581j.** 560.30 (8) of the statutes is renumbered 560.29 (1) (f) and amended to read:
560.29 (1) (f) “Qualified business” means a business which is a qualified business under s. 560.33, 2005 stats.

SECTION 3581k. 560.30 (9) of the statutes is repealed.

SECTION 3581l. 560.30 (10) of the statutes is repealed.

SECTION 3581m. 560.30 (11) of the statutes is renumbered 560.29 (1) (g) and amended to read:

560.29 (1) (g) “Qualified investment” means an investment in a qualified business by a certified capital company that meets the requirements under s. 560.34 (1), 2005 stats.

SECTION 3581n. 560.31 of the statutes is repealed.

SECTION 3581o. 560.32 of the statutes is repealed.

SECTION 3581p. 560.33 of the statutes is repealed.

SECTION 3581q. 560.34 of the statutes is repealed.

SECTION 3581r. 560.35 (title) of the statutes is renumbered 560.29 (2) (title).

SECTION 3581s. 560.35 (1) (intro.) of the statutes is renumbered 560.29 (2) (a) (intro.).

SECTION 3581t. 560.35 (1m) of the statutes is renumbered 560.29 (2) (b) and amended to read:

560.29 (2) (b) Violation of agreements by qualified businesses. As soon as practicable after the receipt of information by the certified capital company that a qualified business has violated an agreement made under s. 560.34 (1) (b) to (e), 2005 stats., the certified capital company shall notify the department of the violation and the facts giving rise to the violation.

SECTION 3581u. 560.35 (2) of the statutes is renumbered 560.29 (2) (c).
**SECTION 3581v.** 560.35 (3) of the statutes is renumbered 560.29 (2) (d) and amended to read:

560.29 (2) (d) *Financial statements.* Within 90 days of the end of the certified capital company’s fiscal year, the certified capital company shall provide to the department a copy of its annual audited financial statements, including the opinion of an independent certified public accountant. The audit shall address the methods of operation and conduct of the business of the certified capital company to determine whether the certified capital company is complying with this subchapter section and the rules promulgated under this subchapter subchapter II of ch. 560, 2005 stats., including whether certified capital has been invested in the manner required under s. 560.34, 2005 stats. The financial statements provided under this subsection shall be segregated by investment pool and shall be separately audited on that basis to allow the department to determine whether the certified capital company is in compliance with s. 560.34 (1m), 2005 stats.

**SECTION 3581w.** 560.35 (4) of the statutes is renumbered 560.29 (2) (e) and amended to read:

560.29 (2) (e) *Fees.* On or before January 31 annually, a certified capital company shall pay a nonrefundable certification fee of $5,000 to the department, unless January 31 falls within 6 months of the date on which the certified capital company was certified under s. 560.31, 2005 stats.

**SECTION 3581x.** 560.35 (5) of the statutes is renumbered 560.29 (2) (f).

**SECTION 3581y.** 560.36 of the statutes is repealed.

**SECTION 3581z.** 560.37 of the statutes is repealed.

**SECTION 3581za.** 560.38 of the statutes is repealed.

**SECTION 3582.** 560.60 (1m) of the statutes is repealed.
SECTION 3583. 560.60 (1v) of the statutes is repealed.

SECTION 3584. 560.60 (3) of the statutes is repealed.

SECTION 3585. 560.60 (3m) of the statutes is created to read:

560.60 (3m) "Eligible activities" means any of the following:

(a) Capital financing.

(b) Worker training.

(c) Entrepreneurial development.

(d) Providing assistance to technology-based businesses or to businesses at a foreign trade show or event.

(e) Promoting urban or regional economic development.

(f) Establishing revolving loan funds.

(g) Providing working capital.

(h) Promoting employee ownership through all of the following:

1. Conducting feasibility studies to investigate the reorganization or new incorporation of existing businesses as employee-owned businesses.

2. Implementing feasibility studies under subd. 1.

SECTION 3586. 560.60 (4) of the statutes is amended to read:

560.60 (4) "Eligible recipient" means a governing body or a person who is eligible to receive a grant or loan under s. 560.62, a grant or loan under s. 560.63 or a grant or loan under s. 560.65 560.61.

SECTION 3587. 560.60 (8) of the statutes is repealed.

SECTION 3588. 560.60 (10) of the statutes is repealed.

SECTION 3589. 560.60 (11) of the statutes is repealed.

SECTION 3590. 560.60 (13) of the statutes is repealed.

SECTION 3591. 560.60 (15) of the statutes is amended to read:
560.60 (15) “Small business” means a business operating for profit, with 250 or fewer than 100 employees, including employees of any subsidiary or affiliated organization.

SECTION 3592. 560.60 (17) of the statutes is repealed.

SECTION 3593. 560.60 (18m) of the statutes is repealed.

SECTION 3594. 560.605 (1) (intro.) of the statutes is amended to read:

560.605 (1) (intro.) The Upon receipt of an application by an eligible recipient, the board may consider any of the following in determining whether to award a grant or loan under s. 560.61 upon the receipt and consideration of an application by an eligible recipient for a project under ss. 560.62 to 560.66, if the board determines all of the following:

SECTION 3595. 560.605 (1) (a) of the statutes is amended to read:

560.605 (1) (a) The Whether the project serves a public purpose.

SECTION 3596. 560.605 (1) (b) of the statutes is amended to read:

560.605 (1) (b) The Whether the project will retain or increase employment in this state.

SECTION 3597. 560.605 (1) (c) of the statutes is amended to read:

560.605 (1) (c) The Whether the project is not likely to might not occur without the grant or loan.

SECTION 3598. 560.605 (1) (d) of the statutes is amended to read:

560.605 (1) (d) Financing Whether financing is unavailable available from any other another source on reasonably equivalent terms.

SECTION 3599. 560.605 (1) (e) of the statutes is amended to read:

560.605 (1) (e) Except as provided in s. 560.68 (6), the eligible recipient receiving the grant or loan will contribute, from The extent to which the project will
be financed with funds not provided by this state, not less than 25% of the cost of the project.

**SECTION 3600.** 560.605 (1) (f) of the statutes is repealed.

**SECTION 3601.** 560.605 (1) (g) of the statutes is amended to read:

560.605 (1) (g) Funds Whether funds from the grant or loan under s. 560.62, 560.63, 560.65 or 560.66 will not be used to pay overhead costs, except as provided in s. 560.65 (1m) (b), or to replace funds from any other source.

**SECTION 3602.** 560.605 (1) (h) of the statutes is amended to read:

560.605 (1) (h) Whether the project will not displace any workers in this state.

**SECTION 3603.** 560.605 (1) (i) of the statutes is repealed.

**SECTION 3604.** 560.605 (1) (p) of the statutes is amended to read:

560.605 (1) (p) For an ethanol production facility on which construction begins after July 27, 2005, whether a competitive bidding process is used for the construction of the ethanol production facility.

**SECTION 3605.** 560.605 (2) (intro.) of the statutes is repealed.

**SECTION 3606.** 560.605 (2) (a) of the statutes is renumbered 560.605 (1) (j).

**SECTION 3607.** 560.605 (2) (b) of the statutes is renumbered 560.605 (1) (k).

**SECTION 3608.** 560.605 (2) (c) of the statutes is renumbered 560.605 (1) (L).

**SECTION 3609.** 560.605 (2) (d) of the statutes is renumbered 560.605 (1) (m) and amended to read:

560.605 (1) (m) The financial soundness of the business eligible recipient.

**SECTION 3610.** 560.605 (2) (e) of the statutes is renumbered 560.605 (1) (n).

**SECTION 3611.** 560.605 (2) (f) of the statutes is renumbered 560.605 (1) (o).

**SECTION 3612.** 560.605 (2m) (intro.) of the statutes is amended to read:
560.605 (2m) (intro.) When considering whether a project under s. 560.62, 560.63 or 560.66 will be located in a targeted area, the board shall may consider all any of the following:

Section 3613. 560.605 (2m) (c) of the statutes is repealed.

Section 3614. 560.605 (2m) (d) of the statutes is repealed.

Section 3615. 560.605 (2m) (e) of the statutes is repealed.

Section 3616. 560.605 (4) of the statutes is repealed.

Section 3617. 560.605 (5) of the statutes is repealed.

Section 3618. 560.605 (5m) of the statutes is repealed.

Section 3619. 560.605 (6) of the statutes is repealed.

Section 3621. 560.607 (1) of the statutes is amended to read:

560.607 (1) Evaluations of proposed technical research projects under s. 560.62.

Section 3622. 560.61 (intro.) and (1) of the statutes are consolidated, renumbered 560.61 and amended to read:

560.61 Wisconsin development fund. At the request of the board, the department shall do all of the following: (1) Make may make a grant or loan to an eligible recipient for a project that meets the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.63, 560.65 or 560.66, whichever is appropriate, from the appropriations under s. 20.143 (1) (c) and (ie).

Section 3623. 560.61 (3) of the statutes is repealed.

Section 3624. 560.62 of the statutes is repealed.

Section 3625. 560.63 of the statutes is repealed.

Section 3626. 560.65 of the statutes is repealed.

Section 3627. 560.66 of the statutes is repealed.
SECTION 3628. 560.68 (1m) of the statutes is created to read:

560.68 (1m) The department shall establish criteria for the award of grants and loans under s. 560.61, including the types of projects that are eligible for funding and the types of eligible projects that will receive priority.

SECTION 3629. 560.68 (2m) of the statutes is created to read:

560.68 (2m) The department shall determine conditions applicable to a grant or loan under s. 560.61.

SECTION 3630. 560.68 (3) of the statutes is amended to read:

560.68 (3) The department may charge a grant or loan recipient an origination fee of up to not more than 2% of the grant or loan amount if the grant or loan equals or exceeds $200,000 and is awarded under s. 560.63 or 560.66. The department shall deposit all origination fees collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

SECTION 3631. 560.68 (5) of the statutes is renumbered 560.68 (5) (intro.) and amended to read:

560.68 (5) (intro.) The department, with the approval of the board, shall develop procedures to evaluate related to grants and loans under s. 560.61 for all of the following:

(b) Evaluating applications, monitor.
(c) Monitoring project performance and audit.
(d) Auditing the grants and loans awarded under this subchapter.

SECTION 3632. 560.68 (5) (a) of the statutes is created to read:

560.68 (5) (a) Submitting applications for grants and loans.

SECTION 3633. 560.68 (6) of the statutes is amended to read:
560.68 (6) If appropriate, the board may require that more, as a condition of a grant or loan, that a recipient contribute to a project an amount that is not less than 25% of the cost of any project or category of projects be paid from funds not provided by this state.

SECTION 3634. 560.68 (7) (a) of the statutes is amended to read:

560.68 (7) (a) Publish and disseminate information about the projects under ss. 560.62 to 560.66 that may be funded by a grant or loan under s. 560.61 and the procedures for applying for grants and loans under s. 560.61.

SECTION 3635. 560.795 (2) (a) of the statutes is amended to read:

560.795 (2) (a) Except as provided in par. (d), the designation of each area under sub. (1) (a), (b), and (c) as a development opportunity zone shall be effective for 36 months, with the designation of the areas under sub. (1) (a) and (b) beginning on April 23, 1994, and the designation of the area under sub. (1) (c) beginning on April 28, 1995. Except as provided in par. (d), the designation of each area under sub. (1) (d), and (e), and (f) as a development opportunity zone shall be effective for 84 months, with the designation of the area under sub. (1) (d) beginning on January 1, 2000, and the designation of the areas under sub. (1) (e) and (f) beginning on September 1, 2001. Except as provided in par. (d), the designation of the area under sub. (1) (f) as a development opportunity zone shall be effective for 108 months, with the designation of the area under sub. (1) (f) beginning on September 1, 2001.

SECTION 3636. 560.795 (2) (b) 6. of the statutes is amended to read:

560.795 (2) (b) 6. The limit for tax benefits for the development opportunity zone under sub. (1) (f) is $4,700,000.

SECTION 3637. 560.799 (6) (e) of the statutes is created to read:
560.799 (6) (e) The department shall determine the maximum amount of the tax credits under ss. 71.07 (3w), 71.28 (3w), and 71.47 (3w) that a certified business may claim and shall notify the department of revenue of this amount.

**SECTION 3638.** 560.799 (6) (f) of the statutes is created to read:

560.799 (6) (f) The department shall annually verify the information submitted to the department under ss. 71.07 (3w), 71.28 (3w), or 71.47 (3w).

**SECTION 3639.** 560.9806 (1) (a) 3. of the statutes is amended to read:

560.9806 (1) (a) 3. A community action agency under s. 46.30 49.265.

**SECTION 3640.** 562.05 (1e) of the statutes is amended to read:

562.05 (1e) If an applicant for a license under this section is an individual who does not have a social security number, the applicant shall submit to the department with his or her application a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development children and families. A license issued in reliance upon a false statement submitted under this subsection is invalid.

**SECTION 3641.** 562.05 (5) (a) 9. of the statutes is amended to read:

562.05 (5) (a) 9. The person is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

**SECTION 3642.** 562.05 (8) (d) of the statutes is amended to read:
562.05 (8) (d) If required in a memorandum of understanding entered into under s. 49.857, the department shall suspend or restrict or not renew the license of any person who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or who has failed to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings.

SECTION 3643. 562.05 (8m) (a) of the statutes is amended to read:

562.05 (8m) (a) If the applicant for any license is an individual, the department shall disclose his or her social security number to the department of workforce development children and families for the purpose of administering s. 49.22 and to the department of revenue for the purpose of requesting certifications under s. 73.0301.

SECTION 3644. 562.06 (3) of the statutes is amended to read:

562.06 (3) DAY CARE. Nothing in this section prohibits a licensee from operating a day care area at a track if the day care area is licensed by the department of health and family services children and families under s. 48.65.

SECTION 3645. 563.28 (1) of the statutes is amended to read:

563.28 (1) If required in a memorandum of understanding entered into under s. 49.857, the department shall suspend or restrict the supplier’s license of any person who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or who has failed to comply, after appropriate notice, with a subpoena or warrant issued by the department of
workforce development children and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings.

**SECTION 3646.** 563.28 (2) of the statutes is amended to read:

563.28 (2) The department shall disclose the social security number of any applicant for a supplier’s license to the department of workforce development children and families for the purpose of administering s. 49.22.

**SECTION 3649.** 565.30 (5) of the statutes is amended to read:

565.30 (5) Withholding of delinquent state taxes, child support or debts owed the state. The administrator shall report the name, address and social security number or federal income tax number of each winner of a lottery prize equal to or greater than $1,000 and the name, address and social security number or federal income tax number of each person to whom a lottery prize equal to or greater than $1,000 has been assigned to the department of revenue to determine whether the payee or assignee of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or, if applicable, in the court-ordered payment of child support or has a debt owing to the state. Upon receipt of a report under this subsection, the department of revenue shall first ascertain based on certifications by the department of workforce development or its designee under s. 49.855 (1) whether any person named in the report is currently delinquent in court-ordered payment of child support and shall next certify to the administrator whether any person named in the report is delinquent in court-ordered payment of child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of revenue or upon court order the administrator shall withhold the certified amount and send it to the department of revenue for remittance to the appropriate agency or person. At the time of remittance, the The department of
revenue shall charge its the winner or assignee of the lottery prize for the department of revenue’s administrative expenses associated with withholding and remitting to the debt owed to a state agency that has received the remittance and may withhold the amount of the administrative expenses from the prize payment. The administrative expenses received or withheld by the department of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee or assignee of the prize is delinquent both in payments for state taxes and in court-ordered payments of child support, or is delinquent in one or both of these payments and has a debt owing to the state, the amount remitted to the appropriate agency or person shall be in proportion to the prize amount as is the delinquency or debt owed by the payee or assignee.

**SECTION 3650.** 565.30 (5) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

565.30 (5) **WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS OWED THE STATE.** The administrator shall report the name, address and social security number or federal income tax number of each winner of a lottery prize equal to or greater than $1,000 and the name, address and social security number or federal income tax number of each person to whom a lottery prize equal to or greater than $1,000 has been assigned to the department of revenue to determine whether the payee or assignee of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or, if applicable, in the court-ordered payment of child support or has a debt owing to the state. Upon receipt of a report under this subsection, the department of revenue shall first ascertain based on certifications by the department of workforce development children and families or its designee under s. 49.855 (1) whether any person named in the report is currently delinquent in
court-ordered payment of child support and shall next certify to the administrator whether any person named in the report is delinquent in court-ordered payment of child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of revenue or upon court order the administrator shall withhold the certified amount and send it to the department of revenue for remittance to the appropriate agency or person. The department of revenue shall charge the winner or assignee of the lottery prize for the department of revenue’s administrative expenses associated with withholding and remitting debt owed to a state agency and may withhold the amount of the administrative expenses from the prize payment. The administrative expenses received or withheld by the department of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee or assignee of the prize is delinquent both in payments for state taxes and in court-ordered payments of child support, or is delinquent in one or both of these payments and has a debt owing to the state, the amount remitted to the appropriate agency or person shall be in proportion to the prize amount as is the delinquency or debt owed by the payee or assignee.

**SECTION 3651.** 565.30 (5m) (a) of the statutes is amended to read:

565.30 (5m) (a) The administrator shall report to the department of workforce development children and families the name, address and social security number of each winner of a lottery prize that is payable in installments and the name, address and social security number or federal income tax number of the person who has been assigned a lottery prize that is payable in installments. Upon receipt of the report, the department of workforce development children and families shall certify to the administrator whether any payee or assignee named in the report is obligated to provide child support, spousal support, maintenance or family support under s.
1 767.001 (1) (f) or (g), 767.225, 767.34, 767.511, 767.531, 767.56, 767.805 (4), 767.85,
2 767.863 (3), 767.89 (3), 767.893 (2m) or 948.22 (7) or ch. 769 and the amount required
3 to be withheld from the lottery prize under s. 767.75. Subject to par. (b), the
4 administrator shall withhold the certified amount from each payment made to the
5 winner or assignee and remit the certified amount to the department of workforce
6 development children and families.

**SECTION 3652.** 601.32 (1) of the statutes is amended to read:

601.32 (1) If the moneys credited to s. 20.145 (1) (g) 1. under other sections of
the statutes prove inadequate for the office’s supervision of insurance industry
program, the commissioner may increase any or all of the fees imposed by s. 601.31,
or may in any year levy a special assessment on all domestic insurers, or both, for the
general operation of that program.

**SECTION 3652m.** 601.415 (8) of the statutes is created to read:

601.415 (8) LONG-TERM CARE PARTNERSHIP PROGRAM. The commissioner shall
provide the certifications required under s. 49.45 (31) (b) 5. and shall cooperate with
the department of health and family services in approving the training program
under s. 49.45 (31) (c) for agents who sell long-term care insurance policies.

**SECTION 3653.** 601.45 (3) of the statutes is amended to read:

601.45 (3) DEPOSIT. The commissioner may require any examinee, before or
from time to time during an examination, to deposit with the secretary of
administration such deposits as the commissioner deems necessary to pay the costs
of the examination. Any deposit and any payment made under subs. (1) and (2) shall
be credited to the appropriation account under s. 20.145 (1) (g) 1. in the percentage
specified in that paragraph subdivision.

**SECTION 3654.** 601.45 (4) of the statutes is amended to read:
601.45 (4) EXEMPTIONS. On the examinee’s request or on the commissioner’s own motion, the commissioner may pay all or part of the costs of an examination from the appropriation under s. 20.145 (1) (g) 1., whenever the commissioner finds that because of the frequency of examinations or other factors, imposition of the costs would place an unreasonable burden on the examinee. The commissioner shall include in his or her annual report information about any instance in which the commissioner applied this subsection.

SECTION 3655. 601.47 (1) of the statutes is amended to read:

601.47 (1) GENERAL. The commissioner may prepare books, pamphlets, and other publications relating to insurance and sell them in the manner and at the prices the commissioner determines. The cost of publication and distribution may be paid from the appropriation under s. 20.145 (1) (g) 1.

SECTION 3656. 601.47 (3) of the statutes is amended to read:

601.47 (3) FREE DISTRIBUTION. The commissioner may furnish free copies of the publications prepared under subs. (1) and (2) to public officers and libraries in this state and elsewhere. The cost of free distribution shall be charged to the appropriation under s. 20.145 (1) (g) 1.

SECTION 3657. 601.48 (1) of the statutes is amended to read:

601.48 (1) NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS. The commissioner and the office of the commissioner shall maintain close relations with the commissioners of other states and shall participate in the activities and affairs of the National Association of Insurance Commissioners and other organizations so far as it will, in the judgment of the commissioner, enhance the purposes of chs. 600 to 655. The actual and necessary expenses incurred thereby shall be reimbursed out of the appropriation under s. 20.145 (1) (g) 1.
SECTION 3658. 601.62 (4) of the statutes is amended to read:

601.62 (4) FEES IN INVESTIGATIONS AND HEARINGS. The fees for stenographic services in investigations, examinations, and hearings may not exceed the sum provided for like services in the circuit court. The fees of officers, witnesses, interpreters, and stenographers on behalf of the commissioner or the state shall be paid by the secretary of administration, authorized by the certificate of the commissioner, and shall be charged to the appropriation under s. 20.145 (1) (g) 1.

SECTION 3659. 604.04 (3) of the statutes is amended to read:

604.04 (3) EXPENSES. No full-time state officer or employee may receive additional compensation for services under chs. 604 to 607. Appropriate portions of the salaries of such persons who do work for the funds or supervise them, and other expenses including reasonable charges for state-owned or state-rented office space and the use of state-owned or state-rented office equipment shall be charged against each fund. Each fund shall pay to the commissioner amounts charged for organizational support services, which shall be credited to the appropriation account under s. 20.145 (1) (g) 2. Each fund shall also be charged a sum equivalent to the state premium tax that would be paid by a domestic mutual insurer organized or operating under ch. 611 and doing the same kind of insurance business, except that no such charge shall be made for the insurance of governmental units.

SECTION 3660c. 609.87 of the statutes is created to read:

609.87 Coverage of treatment for autism spectrum disorders. Defined network plans are subject to s. 632.895 (15).

SECTION 3660g. 616.10 of the statutes is amended to read:

616.10 Exemption from taxation. Every mutual designated a school benefit insurer under s. 616.03, every plan authorized under s. 616.06, and every corporation
organized under s. 616.08 is declared to be a charitable and benevolent corporation, and its property, real, personal and mixed, and its income and property transferred to it, are exempt from taxation as provided in ss. 70.11, 71.26 (1) (a) and 71.45 (1) (a).

**SECTION 3661.** 628.095 (4) (a) of the statutes is amended to read:

> 628.095 (4) (a) The commissioner shall disclose a social security number obtained under sub. (1) or (3) to the department of workforce development children and families in the administration of s. 49.22, as provided in a memorandum of understanding entered into under s. 49.857.

**SECTION 3662.** 628.095 (5) of the statutes is amended to read:

> 628.095 (5) **If applicant or intermediary has no social security number.** If an applicant who is a natural person does not have a social security number, the applicant shall provide to the commissioner, along with the application for a license and on a form prescribed by the department of workforce development children and families, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. If an intermediary who is a natural person does not have a social security number, the intermediary shall provide to the commissioner, each time that the annual fee is paid under s. 601.31 (1) (m) and on a form prescribed by the department of workforce development children and families, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.

**SECTION 3663.** 628.097 (1m) of the statutes is amended to read:

> 628.097 (1m) **For failure to pay support or to comply with subpoena or warrant.** The commissioner shall refuse to issue to a natural person a license, including a temporary license, under this subchapter if the natural person is delinquent in court-ordered payments of child or family support, maintenance, birth
expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the natural person fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

**SECTION 3664.** 628.10 (2) (c) of the statutes is amended to read:

628.10 (2) (c) *For failure to pay support or to comply with subpoena or warrant.*

The commissioner shall suspend or limit the license of an intermediary who is a natural person, or a temporary license of a natural person under s. 628.09, if the natural person is delinquent in court−ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the natural person fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

**SECTION 3664c.** 628.348 of the statutes is created to read:

628.348 *Sale of long−term care insurance.* (1) **Training requirement.** No person may solicit, negotiate, or sell long−term care insurance unless the person is a licensed intermediary and he or she completes the initial training portion of the training program under s. 49.45 (31) (c) by January 1, 2009, and completes the ongoing training under s. 49.45 (31) (c) every 24 months after completing the initial training.
(2) INSURER VERIFICATION. Insurers providing long-term care insurance shall do all of the following:

(a) Obtain from intermediaries selling long-term care insurance on behalf of the insurer verification that the intermediary is in compliance with the training requirements under sub. (1).

(b) Maintain records related to the verifications obtained under par. (a).

(c) Make the records under par. (b) available to the commissioner upon request.

SECTION 3666. 632.48 (3) of the statutes is created to read:

632.48 (3) NOTICE OF CHANGES. An insurer that receives a request from the department of health and family services under s. 49.47 (4) (cr) 2. for notification shall comply with the request and notify the department of any changes to or payments made under the annuity contract to which the request for notification relates.

SECTION 3667. 632.68 (2) (b) 3m. of the statutes is amended to read:

632.68 (2) (b) 3m. If a natural person who does not have a social security number, provides on a form prescribed by the department of workforce development children and families a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.

SECTION 3668. 632.68 (2) (bc) 1. of the statutes is amended to read:

632.68 (2) (bc) 1. The commissioner shall disclose a social security number obtained under par. (b) to the department of workforce development children and families in the administration of s. 49.22, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3669. 632.68 (2) (bm) 1. of the statutes is amended to read:
632.68 (2) (bm) 1. Notwithstanding par. (b), the commissioner may not issue a license under this subsection to a natural person who is delinquent in court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

**SECTION 3670.** 632.68 (2) (e) of the statutes is amended to read:

632.68 (2) (e) Except as provided in sub. (3), a license issued under this subsection shall be renewed annually on July 1 upon payment of the fee specified in s. 601.31 (1) (mp) and upon providing the licensee’s social security number, unless the licensee does not have a social security number, or federal employer identification number, as applicable, if not previously provided on the application for the license or at a previous renewal of the license. If the licensee is a natural person who does not have a social security number, the license shall be renewed annually on July 1 upon payment of the fee specified in s. 601.31 (1) (mp) and upon providing to the commissioner a statement made or subscribed under oath or affirmation, on a form prescribed by the department of workforce development children and families, that the licensee does not have a social security number.

**SECTION 3671.** 632.68 (3) (b) 1. of the statutes is amended to read:

632.68 (3) (b) 1. The commissioner shall suspend, limit or refuse to renew a viatical settlement provider license issued to a natural person if the natural person is delinquent in court-ordered payments of child or family support, maintenance,
birth expenses, medical expenses or other expenses related to the support of a child
or former spouse, or if the natural person fails to comply, after appropriate notice,
with a subpoena or warrant issued by the department of workforce development
children and families or a county child support agency under s. 59.53 (5) and related
to paternity or child support proceedings, as provided in a memorandum of
understanding entered into under s. 49.857.

SECTION 3672. 632.68 (4) (b) of the statutes is amended to read:

632.68 (4) (b) A person may apply to the commissioner for a viatical settlement
broker license on a form prescribed by the commissioner for that purpose. The
application form shall require the applicant to provide the applicant’s social security
number, if the applicant is a natural person unless the applicant does not have a
social security number, or the applicant’s federal employer identification number, if
the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) shall
accompany the application. The commissioner may not issue a license under this
subsection unless the applicant provides his or her social security number, unless the
applicant does not have a social security number, or its federal employer
identification number, whichever is applicable. If the applicant is a natural person
who does not have a social security number, the commissioner may not issue a license
under this subsection unless the applicant provides, on a form prescribed by the
department of workforce development children and families, a statement made or
subscribed under oath or affirmation that the applicant does not have a social
security number.

SECTION 3673. 632.68 (4) (bc) 1. of the statutes is amended to read:

632.68 (4) (bc) 1. The commissioner shall disclose a social security number
obtained under par. (b) to the department of workforce development children and
families in the administration of s. 49.22, as provided in a memorandum of
understanding entered into under s. 49.857.

SECTION 3674. 632.68 (4) (bm) 1. of the statutes is amended to read:

632.68 (4) (bm) 1. The commissioner may not issue a license under this
subsection to a natural person who is delinquent in court−ordered payments of child
or family support, maintenance, birth expenses, medical expenses or other expenses
related to the support of a child or former spouse, or who fails to comply, after
appropriate notice, with a subpoena or warrant issued by the department of
workforce development children and families or a county child support agency under
s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
memorandum of understanding entered into under s. 49.857.

SECTION 3675. 632.68 (4) (c) of the statutes is amended to read:

632.68 (4) (c) Except as provided in sub. (5), a license issued under this
subsection shall be renewed annually on July 1 upon payment of the fee specified in
s. 601.31 (1) (ms) and upon providing the licensee’s social security number, unless the
licensee does not have a social security number, or federal employer identification
number, as applicable, if not previously provided on the application for the license
or at a previous renewal of the license. If the licensee is a natural person who does
not have a social security number, the license shall be renewed annually, except as
provided in sub. (5), on July 1 upon payment of the fee specified in s. 601.31 (1) (ms)
and upon providing to the commissioner a statement made or subscribed under oath
or affirmation, on a form prescribed by the department of workforce development
children and families, that the licensee does not have a social security number.

SECTION 3676. 632.68 (5) (b) 1. of the statutes is amended to read:
632.68 (5) (b) 1. The commissioner shall suspend, limit or refuse to renew a viatical settlement broker license issued to a natural person if the natural person is delinquent in court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the natural person fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

**SECTION 3677c.** 632.726 of the statutes is created to read:

**632.726 Current procedural terminology code changes.** (1) In this section, “current procedural terminology code” means a number established by the American Medical Association that a health care provider puts on a health insurance claim form to describe the services that he or she performed.

(2) If an insurer changes a current procedural terminology code that was submitted by a health care provider on a health insurance claim form, the insurer shall include on the explanation of benefits form the reason for the change to the current procedural terminology code and shall cite on the explanation of benefits form the source for the change.

**SECTION 3678.** 632.745 (6) (a) 2m. of the statutes is amended to read:

632.745 (6) (a) 2m. A family long-term care district under s. 46.2895.

**SECTION 3679.** 632.746 (7m) (b) 1. of the statutes is amended to read:

632.746 (7m) (b) 1. The employee or dependent is eligible for benefits under the Medical Assistance program under s. 49.471 or 49.472 or for coverage under the Badger Care health care program under s. 49.665.
SECTION 3685f. 632.857 of the statutes is created to read:

632.857 Explanation required for restriction or termination of coverage. If an insurer restricts or terminates an insured’s coverage for the treatment of a condition or complaint and, as a result, the insured becomes liable for payment for all of his or her treatment for the condition or complaint, the insurer shall provide on the explanation of benefits form a detailed explanation of the clinical rationale and of the basis in the policy, plan, or contract or in applicable law for the insurer’s restriction or termination of coverage.

SECTION 3686w. 632.875 (2) (g) of the statutes is amended to read:

632.875 (2) (g) A reasonable detailed explanation of the factual basis clinical rationale and of the basis in the policy, plan, or contract or in applicable law for the insurer’s restriction or termination of coverage.

SECTION 3687r. 632.895 (15) of the statutes is created to read:

632.895 (15) TREATMENT FOR AUTISM SPECTRUM DISORDERS. (a) In this subsection, “autism spectrum disorder” means any of the following:

1. Autism disorder.

2. Asperger’s syndrome.

3. Pervasive developmental disorder not otherwise specified.

(b) Except as provided in par. (d), every disability insurance policy, and every self–insured health plan of the state or a county, city, town, village, or school district, shall provide coverage for an insured of treatment for an autism spectrum disorder if the treatment is provided by any of the following:

1. A psychiatrist, as defined in s. 146.34 (1) (h).

2. A person who practices psychology, as described in s. 455.01 (5).
3. A social worker, as defined in s. 252.15 (1) (er), who is certified or licensed to practice psychotherapy, as defined in s. 457.01 (8m).

4. A speech–language pathologist, as defined in s. 459.20 (4).

5. A paraprofessional working under the supervision of a provider listed under subds. 1. to 4.

6. A professional working under the supervision of an outpatient mental health clinic certified under s. 51.038.

(c) The coverage required under par. (b) may be subject to any limitations, exclusions, and cost–sharing provisions that apply generally under the disability insurance policy or self–insured health plan.

(d) This subsection does not apply to any of the following:

1. A disability insurance policy that covers only certain specified diseases.

2. A health care plan offered by a limited service health organization, as defined in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not a defined network plan, as defined in s. 609.01 (1b).

3. A long–term care insurance policy.

4. A medicare replacement policy or a medicare supplement policy.

SECTION 3689. 632.897 (10) (am) 2. of the statutes is amended to read:

632.897 (10) (am) 2. Provide family coverage under the group policy or individual policy for the individual’s child, if eligible for coverage, upon application by the individual, the child’s other parent, the department of workforce development children and families or the county child support agency under s. 59.53 (5).

SECTION 3690. 633.14 (1) (e) of the statutes is amended to read:

633.14 (1) (e) If an individual who does not have a social security number, provides on a form prescribed by the department of workforce development children.
and families a statement made or subscribed under oath or affirmation that he or she
does not have a social security number.

**SECTION 3691.** 633.14 (2c) (a) of the statutes is amended to read:

633.14 (2c) (a) The commissioner shall disclose a social security number
obtained under sub. (1) (d) to the department of workforce development children and
families in the administration of s. 49.22, as provided in a memorandum of
understanding entered into under s. 49.857.

**SECTION 3692.** 633.14 (2m) (a) of the statutes is amended to read:

633.14 (2m) (a) Notwithstanding sub. (1), the commissioner may not issue a
license under this section if the individual applying for the license is delinquent in
court−ordered payments of child or family support, maintenance, birth expenses,
medical expenses or other expenses related to the support of a child or former spouse,
or if the individual fails to comply, after appropriate notice, with a subpoena or
warrant issued by the department of workforce development children and families
or a county child support agency under s. 59.53 (5) and related to paternity or child
support proceedings, as provided in a memorandum of understanding entered into
under s. 49.857.

**SECTION 3693.** 633.15 (1m) of the statutes is amended to read:

633.15 (1m) **SOCIAL SECURITY NUMBER, FEDERAL EMPLOYER IDENTIFICATION
NUMBER OR STATEMENT.** At an annual renewal, an administrator shall provide his or
her social security number, if the administrator is an individual unless he or she does
not have a social security number, or its federal employer identification number, if
the administrator is a corporation, limited liability company or partnership, if the
social security number or federal employer identification number was not previously
provided on the application for the license or at a previous renewal of the license. If
an administrator who is an individual does not have a social security number, the
individual shall provide to the commissioner, at each annual renewal and on a form
prescribed by the department of workforce development children and families, a
statement made or subscribed under oath or affirmation that the administrator does
not have a social security number.

SECTION 3694. 633.15 (2) (c) of the statutes is amended to read:

633.15 (2) (c) Failure to pay support or to comply with subpoena or warrant.
The commissioner shall suspend, limit or refuse to renew a license issued under this
section to an individual if the individual is delinquent in court-ordered payments of
child or family support, maintenance, birth expenses, medical expenses or other
expenses related to the support of a child or former spouse, or if the individual fails
to comply, after appropriate notice, with a subpoena or warrant issued by the
department of workforce development children and families or a county child
support agency under s. 59.53 (5) and related to paternity or child support
proceedings, as provided in a memorandum of understanding entered into under s.
49.857.

SECTION 3695. 645.09 (2) (a) of the statutes is amended to read:

645.09 (2) (a) Causes of delinquency. The commissioner may include in his or
her annual report, not later than the 2nd annual report following the initiation of any
formal proceedings under this chapter, a detailed analysis of the basic causes and the
contributing factors making the initiation of formal proceedings necessary, and may
make recommendations for remedial legislation. For this purpose the commissioner
may appoint a special assistant qualified in insurance, finance, and accounting to
conduct the study and prepare the analysis, and may determine the special
assistant’s compensation, which shall be paid from the appropriation under s. 20.145 (1) (g) 1.

SECTION 3696. 645.09 (2) (b) of the statutes is amended to read:

645.09 (2) (b) Final study. The commissioner may include in his or her annual report, not later than the 2nd annual report following discharge of the receiver, a detailed study of the delinquency proceeding for each insurer subjected to a formal proceeding, with an analysis of the problems faced and their solutions. The commissioner may also suggest alternative solutions, as well as other material of interest, for the purpose of assisting and guiding liquidators or rehabilitators in the future. For this purpose the commissioner may appoint a special assistant qualified to conduct the study and prepare the analysis, and may determine his or her compensation, which shall be paid from the appropriation under s. 20.145 (1) (g) 1.

SECTION 3697. 645.46 (4) of the statutes is amended to read:

645.46 (4) Defray all expenses of taking possession of, conserving, conducting, liquidating, disposing of, or otherwise dealing with the business and property of the insurer. If the property of the insurer does not contain sufficient cash or liquid assets to defray the costs incurred, the liquidator may advance the costs so incurred out of the appropriation under s. 20.145 (1) (g) 1. Any amounts so paid shall be deemed expense of administration and shall be repaid for the credit of the office of the commissioner of insurance out of the first available moneys of the insurer.

SECTION 3698. 647.02 (2) (g) of the statutes is amended to read:

647.02 (2) (g) The figure to be used by the provider as the actual or projected length of a resident’s stay in the facility in the formula in the contract provision required under s. 647.05 (9) (1m) (i) and supporting information showing how the figure was determined.
SECTION 3699. 647.04 (5) of the statutes is amended to read:

647.04 (5) Inform the commissioner of any change in the figure used by the provider as the actual or projected length of a resident’s stay in the facility in the formula in the contract provision required under s. 647.05 (9) (1m) (i) within 30 days after the change is made and submit supporting information showing how the change was determined.

SECTION 3700. 647.05 of the statutes is renumbered 647.05 (1m), and 647.05 (1m) (g), as renumbered, is amended to read:

647.05 (1m) (g) Provides that if a resident dies or the continuing care contract is terminated after the first 30 days of occupancy, but within the first 90 days of occupancy, the provider will refund at least 90% of the amount computed under sub. (6) par. (f).

SECTION 3701. 647.05 (2m) of the statutes is created to read:

647.05 (2m) Subject to s. 49.455, a continuing care contract may require that, before a resident applies for medical assistance, the resident must spend on his or her care the resources declared for purposes of admission to the facility.

SECTION 3702. 655.27 (2) of the statutes is amended to read:

655.27 (2) FUND ADMINISTRATION AND OPERATION. Management of the fund shall be vested with the board of governors. The commissioner shall either provide staff services necessary for the operation of the fund or, with the approval of the board of governors, contract for all or part of these services. Such a contract is subject to ss. 16.753 and 16.765, but is otherwise exempt from subch. IV of ch. 16. The commissioner shall adopt rules governing the procedures for creating and implementing these contracts before entering into the contracts. At least annually, the contractor shall report to the commissioner and to the board of governors
regarding all expenses incurred and subcontracting arrangements. If the board of
governors approves, the contractor may hire legal counsel as needed to provide staff
services. The cost of contracting for staff services shall be funded from the
appropriation under s. 20.145 (2) (u). The fund shall pay to the commissioner
amounts charged for organizational support services, which shall be credited to the
appropriation account under s. 20.145 (1) (g) 2.

SECTION 3703. 701.06 (5) (intro.) of the statutes is amended to read:

701.06 (5) CLAIMS FOR PUBLIC SUPPORT. (intro.) Notwithstanding any provision
in the creating instrument or subs. (1) and (2), if the settlor is legally obligated to pay
for the public support of a beneficiary under s. 46.10, 49.345, or 301.12 or the
beneficiary is legally obligated to pay for the beneficiary's public support or that
furnished the beneficiary's spouse or minor child under s. 46.10, 49.345, or 301.12,
upon application by the appropriate state department or county official, the court
may:

SECTION 3703g. 703.02 (10) of the statutes is amended to read:

703.02 (10) “Limited common element” means a common
elements identified in a declaration or on a condominium plat as reserved
for the exclusive use of one or more but less than all of the unit owners.

SECTION 3703r. 703.38 (1) of the statutes is amended to read:

703.38 (1) Except as otherwise provided in this section and s. 30.1335, this
chapter is applicable to all condominiums, whether established before or after
August 1, 1978. However, with respect to condominiums existing on August 1, 1978,
the declaration, bylaws or condominium plat need not be amended to comply with
the requirements of this chapter.

SECTION 3704. 751.15 (1) of the statutes is amended to read:
751.15 (1) The supreme court is requested to enter into a memorandum of understanding with the department of workforce development children and families under s. 49.857.

**SECTION 3705.** 751.15 (2) of the statutes is amended to read:

751.15 (2) The supreme court is requested to promulgate rules that require each person who has a social security number, as a condition of membership in the state bar, to provide the board of bar examiners with his or her social security number, that require each person who does not have a social security number, as a condition of membership in the state bar, to provide the board of bar examiners with a statement made or subscribed under oath or affirmation on a form prescribed by the department of workforce development children and families that the person does not have a social security number, and that prohibit the disclosure of that number to any person except the department of workforce development children and families for the purpose of administering s. 49.22.

**SECTION 3706.** 751.15 (3) of the statutes is amended to read:

751.15 (3) The supreme court is requested to promulgate rules that deny, suspend, restrict or refuse to renew a license to practice law if the applicant or licensee fails to provide the information required under rules promulgated under sub. (2) or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or if the department of workforce development children and families certifies that the applicant or licensee has failed to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse. The supreme court is also
requested to promulgate rules that invalidate a license to practice law if issued in reliance upon a statement made or subscribed under oath or affirmation under rules promulgated under sub. (2) that is false.

SECTION 3706g. 753.06 (2) (a) of the statutes is amended to read:

753.06 (2) (a) Kenosha County. The circuit has 7 branches. Commencing August 1, 2009, the circuit has 8 branches.

SECTION 3707b. 753.06 (6) (e) of the statutes is amended to read:

753.06 (6) (e) Juneau County. The circuit has one branch. Commencing August 1, 2008, the circuit has 2 branches.

SECTION 3707e. 757.83 (4) of the statutes is amended to read:

757.83 (4) STAFF. The judicial commission shall hire an executive director, and may hire one staff member, in the unclassified service. The executive director shall be a member of the State Bar of Wisconsin and shall provide staff services to the judicial commission and the judicial council.

SECTION 3707p. 758.13 (1) (a) 7. of the statutes is amended to read:

758.13 (1) (a) 7. The revisor of statutes or an assistant designated by the revisor chief of the legislative reference bureau or his or her designee.

SECTION 3707r. 758.13 (1) (b) of the statutes is amended to read:

758.13 (1) (b) The names of the judicial council members shall be certified to the secretary of state by the executive secretary of the judicial commission judicial council attorney. Members shall hold office until their successors have been selected. Members shall receive no compensation, but shall be reimbursed from the appropriation made by s. 20.665 (1) 20.670 (1) for expenses necessarily incurred by members in attending council meetings.

SECTION 3707s. 758.13 (3) (g) of the statutes is created to read:
SECTION 3707s

758.13 (3) (g) 1. In this paragraph:

a. “Candidate” has the meaning given in s. 11.01 (1).

b. “Contribution” has the meaning given in s. 11.01 (6).

c. “Local office” has the meaning given in s. 5.02 (9).

d. “State office” has the meaning give in s. 5.02 (23).

2. The judicial council may appoint outside of the classified service an attorney, who is a member in good standing of the State Bar of Wisconsin, who shall be strictly nonpartisan, and who shall not make a contribution to a candidate for state office or local office while employed by the judicial council, to provide staff services to the council.

SECTION 3708. 758.19 (4m) of the statutes is created to read:

758.19 (4m) The director of state courts may establish and charge fees for electronic filing of court documents under the circuit court automated information systems created under this section. The secretary of administration shall credit all moneys collected under this subsection to the appropriation account under s. 20.680 (2) (j).

SECTION 3709g. 758.19 (5) (a) (intro.) of the statutes is amended to read:

758.19 (5) (a) (intro.) In this subsection, “

1d. “Circuit court costs” means one or more of the following costs:

SECTION 3709m. 758.19 (5) (a) 1. and 2. of the statutes are renumbered 758.19 (5) (a) 1d. a. and b.

SECTION 3709p. 758.19 (5) (a) 1g., 1m. and 1r. of the statutes are created to read:
“Judicial officer need” means the total need for judicial officers as calculated by the director of state courts using the weighted caseload formula based on case filings in the previous calendar year.

“Judicial officers” means circuit court commissioners and circuit court judges.

“Weighted caseload formula” means the formula utilized by the director of state courts to determine the number of cases filed in a calendar year and the judicial officer time needed to process those cases.

**SECTION 3710m.** 758.19 (5) (a) 3. of the statutes is renumbered 758.19 (5) (a) 1d. c. and amended to read:

Witness fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by the circuit court on its own motion or called by, or subpoenaed at the request of, a district attorney, the state public defender or a private attorney appointed under s. 977.08. Nothing in this subdivision affects the determination of who is obligated to pay for fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by, or subpoenaed at the request of the state public defender or a private attorney appointed under s. 977.08.

**SECTION 3711m.** 758.19 (5) (a) 4m. of the statutes is renumbered 758.19 (5) (a) 1d. d. and amended to read:

Fees for expert witnesses appointed under s. 907.06 by the circuit court on its own motion or by the circuit court at the request of the district attorney, the state public defender or a private attorney appointed under s. 977.08 or by the circuit court upon agreement of the district attorney, the state public defender or a private attorney appointed under s. 977.08. Nothing in this subdivision
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Affects the determination of who is obligated to pay fees for an expert witness appointed under s. 907.06.

Section 3712m. 758.19 (5) (a) 5. of the statutes is renumbered 758.19 (5) (a) 1d. e. and amended to read:

758.19 (5) (a) 1d. e. Fees for witnesses or expert witnesses subpoenaed by the circuit court at the request of the district attorney, coroner or medical examiner under s. 979.06 (1) and (2).

Section 3712p. 758.19 (5) (a) 6. of the statutes is renumbered 758.19 (5) (a) 1d. f.

Section 3713m. 758.19 (5) (a) 8. of the statutes is renumbered 758.19 (5) (a) 1d. g. and amended to read:

758.19 (5) (a) 1d. g. Any other circuit court costs, except costs related to courtroom security, including security personnel, and costs related to rent, utilities, maintenance, rehabilitation and construction of circuit court facilities.

Section 3714. 758.19 (5) (am) of the statutes is created to read:

758.19 (5) (am) The director of state courts may create a uniform chart of accounts that each county shall be required to use for the recording of all financial transactions relating to the operation of circuit courts and may audit the information submitted under par. (e). If the director of state courts decides to create a uniform chart of accounts, he or she shall consult with the department of revenue regarding the creation of that chart.

Section 3717. 758.19 (5) (e) of the statutes is amended to read:

758.19 (5) (e) No later than July 1, 1994, and no later than July 1 May 15, 2009, and no later than May 15 of each year thereafter, each county shall submit to the director of state courts, in a format that is established by the director of state courts,
and in a manner that comports with the uniform chart of accounts under par. (am), information regarding the amount of actual circuit court costs that the county incurred in the previous calendar year for each of the court costs listed in par. (a) 1. to 8 and revenues collected or received by the circuit court in the previous calendar year.

**SECTION 3718.** 758.19 (5) (f) of the statutes is amended to read:

> 758.19 (5) (f) A county that fails to meet the requirements under par. (e) is not eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3), after the July 1 May 15 that the information was not provided, or until the information is provided, whichever is earlier. Except as provided in this paragraph and par. (g), the information regarding the amount of actual costs reported under par. (e) does not affect the amount paid to a county under par. (b).

**SECTION 3719.** 758.19 (5) (g) of the statutes is amended to read:

> 758.19 (5) (g) Beginning with the submittal of information under par. (e) on July 1, 1995, if the director of state courts determines, based on the information submitted under par. (e), that the payment made to a county under par. (b) for any calendar year exceeds the circuit court costs incurred by the county for that calendar year, the director of state courts shall deduct the difference from the next payment under par. (b) made to that county after the director’s determination. The difference shall be apportioned as provided in par. (c) among the other counties for payment under par. (b) to the other counties on that payment date. For purposes of this paragraph, the director of state courts shall treat the period beginning on August 13, 1993, and ending on December 31, 1994, as a calendar year and determine from the information submitted under par. (e) on July 1, 1994, and July 1, 1995, whether the payment to a county under par. (b) on January 1, 1994, exceeds the circuit court costs...
incurred by the county for the period beginning on August 13, 1993, and ending on

**SECTION 3720.** 767.001 (1d) of the statutes is amended to read:

767.001 (1d) “Department” means the department of workforce development
children and families.

**SECTION 3721.** 767.001 (2) (b) of the statutes is amended to read:

767.001 (2) (b) With respect to the department of health and family services
or a county agency specified in s. 48.56 (1) or a licensed child welfare agency granted
legal custody of a child, the rights and responsibilities specified under s. 48.02 (12).

**SECTION 3722.** 767.205 (2) (a) 3. of the statutes is amended to read:

767.205 (2) (a) 3. Whenever aid under s. 46.261, 48.57 (3m) or (3n), 48.645,
49.19, or 49.45 is provided on behalf of a dependent child or benefits are provided to
the child’s custodial parent under ss. 49.141 to 49.161.

**SECTION 3723.** 767.205 (2) (a) 4. of the statutes is amended to read:

767.205 (2) (a) 4. Whenever aid under s. 46.261, 48.57 (3m) or (3n), 48.645,
49.19, or 49.45 has, in the past, been provided on behalf of a dependent child, or
benefits have, in the past, been provided to the child’s custodial parent under ss.
49.141 to 49.161, and the child’s family is eligible for continuing child support
services under 45 CFR 302.33.

**SECTION 3724.** 767.217 (1) of the statutes is amended to read:

767.217 (1) NOTICE OF PLEADING OR MOTION. In an action affecting the family in
which either party is a recipient of benefits under ss. 49.141 to 49.161 or aid under
s. 46.261, 48.645, 49.19, or 49.45, each party shall, either within 20 days after serving
the opposite party with a motion or pleading requesting the court to order or to
modify a previous order relating to child support, maintenance, or family support,
or before filing the motion or pleading in court, serve a copy of the motion or pleading on the county child support agency under s. 59.53 (5) of the county in which the action is begun.

SECTION 3725. 767.407 (1) (c) 1. of the statutes is amended to read:

767.407 (1) (c) 1. Aid is provided under s. 46.261, 48.57 (3m) or (3n), 48.645, 49.19, or 49.45 on behalf of the child, or benefits are provided to the child's custodial parent under ss. 49.141 to 49.161, but the state and its delegate under s. 49.22 (7) are barred by a statute of limitations from commencing an action under s. 767.80 on behalf of the child.

SECTION 3726. 767.41 (3) (a) of the statutes is amended to read:

767.41 (3) (a) If the interest of any child demands it, and if the court finds that neither parent is able to care for the child adequately or that neither parent is fit and proper to have the care and custody of the child, the court may declare the child to be in need of protection or services and transfer legal custody of the child to a relative of the child, as defined in s. 48.02 (15), to a county department, as defined under s. 48.02 (2g), to a licensed child welfare agency, or, in a county having a population of 500,000 or more, the department of health and family services. If the court transfers legal custody of a child under this subsection, in its order the court shall notify the parents of any applicable grounds for termination of parental rights under s. 48.415. If the court transfers legal custody under this section to an agency, the court shall also refer the matter to the court intake worker, as defined in s. 48.02 (3), who shall conduct an inquiry under s. 48.24 to determine whether a petition should be filed under s. 48.13.

SECTION 3727. 767.41 (3) (a) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:
767.41 (3) (a) If the interest of any child demands it, and if the court finds that neither parent is able to care for the child adequately or that neither parent is fit and proper to have the care and custody of the child, the court may declare the child to be in need of protection or services and transfer legal custody of the child to a relative of the child, as defined in s. 48.02 (15), to a county department, as defined under s. 48.02 (2g), to a licensed child welfare agency, or, in a county having a population of 500,000 or more, the department of health and family services children and families. If the court transfers legal custody of a child under this subsection, in its order the court shall notify the parents of any applicable grounds for termination of parental rights under s. 48.415. If the court transfers legal custody under this section to an agency, the court shall also refer the matter to the court intake worker, as defined in s. 48.02 (3), who shall conduct an inquiry under s. 48.24 to determine whether a petition should be filed under s. 48.13.

Section 3728. 767.41 (3) (am) of the statutes is created to read:

767.41 (3) (am) If the court transfers legal custody of a child under this subsection, the order transferring custody shall include a finding that placement of the child in his or her home would be contrary to the welfare of the child and a finding that reasonable efforts have been made to prevent the removal of the child from the home, while assuring that the health and safety of the child are the paramount concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies. If the legal custodian appointed under par. (a) is a county department, the court shall order the child into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the child. The court shall make the findings specified in this paragraph on a case-by-case basis based
on circumstances specific to the child and shall document or reference the specific
information on which those findings are based in the court order. A court order that
merely references this paragraph without documenting or referencing that specific
information in the court order or an amended court order that retroactively corrects
an earlier court order that does not comply with this paragraph is not sufficient to
comply with this paragraph.

SECTION 3729. 767.451 (7) of the statutes is amended to read:

767.451 (7) TRANSFER TO DEPARTMENT. The court may order custody transferred
to the department of health and family services only if that department agrees to
accept custody. If the court orders custody transferred to the department of health
and family services, the order transferring custody shall include the findings and
order specified in s. 767.41 (3) (am).

SECTION 3730. 767.451 (7) of the statutes, as affected by 2007 Wisconsin Act
.... (this act), is amended to read:

767.451 (7) TRANSFER TO DEPARTMENT. The court may order custody transferred
to the department of health and family services only if that department agrees
to accept custody. If the court orders custody transferred to the department of health
and family services, the order transferring custody shall include the findings and
order specified in s. 767.41 (3) (am).

SECTION 3731. 767.521 (intro.) of the statutes is amended to read:

767.521 Action by state for child support. (intro.) The state or its delegate
under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.001
(1) (f) or for paternity determination and child support under s. 767.80 if the child’s
right to support is assigned to the state under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b)
2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the following apply:

**SECTION 3732.** 767.55 (3) (a) 2. of the statutes is amended to read:

767.55 (3) (a) 2. The child’s right to support is assigned to the state under s. 46.261 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b.

**SECTION 3733.** 767.57 (1e) (title) of the statutes is amended to read:

767.57 (1e) (title) **RECEIVING AND DISBURSING FEE FEES.**

**SECTION 3734.** 767.57 (1e) (a) of the statutes is amended to read:

767.57 (1e) (a) For receiving and disbursing maintenance, child support, or family support payments, including payments in arrears, and for maintaining the records required under par. (c) sub. (1) (c), the department or its designee shall collect an annual fee of $35 $65 *from a party ordered to make payments.* The court shall order each party ordered to make payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

**SECTION 3735.** 767.57 (1e) (a) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:
767.57 (1e) (a) For receiving and disbursing maintenance, child support, or family support payments, including payments in arrears, and for maintaining the records required under sub. (1) (c), the department or its designee shall collect an annual fee of $65 from a party ordered to make payments. The court shall order each party ordered to make payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) 20.437 (2) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

SECTION 3736. 767.57 (1e) (b) 1m. of the statutes is amended to read:

767.57 (1e) (b) 1m. The department or its designee may collect any unpaid fees under s. 814.61 (12) (b), 1997 stats., that are shown on the department’s automated payment and collection system on December 31, 1998, and shall deposit all fees collected under this subdivision in the appropriation account under s. 20.445 (3) 20.437 (2) (ja). The department or its designee may collect unpaid fees under this subdivision through income withholding under s. 767.75 (2m). If the department or its designee determines that income withholding is inapplicable, ineffective, or insufficient for the collection of any unpaid fees under this subdivision, the department or its designee may move the court for a remedial sanction under ch. 785. The department or its designee may contract with or employ a collection agency or
other person for the collection of any unpaid fees under this subdivision and, notwithstanding s. 20.930, may contract with or employ an attorney to appear in any action in state or federal court to enforce the payment obligation. The department or its designee may not deduct the amount of unpaid fees from any maintenance, child or family support, or arrearage payment.

SECTION 3737. 767.57 (1e) (c) of the statutes is created to read:

767.57 (1e) (c) The department or its designee shall collect an annual fee of $25 from every individual receiving child support or family support payments. In applicable cases, the fee shall comply with all requirements under 42 USC 654 (6) (B). The department or its designee may deduct the fee from maintenance, child or family support, or arrearage payments. Fees collected under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) (ja).

SECTION 3737d. 767.57 (1e) (c) of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

767.57 (1e) (c) The department or its designee shall collect an annual fee of $25 from every individual receiving child support or family support payments. In applicable cases, the fee shall comply with all requirements under 42 USC 654 (6) (B). The department or its designee may deduct the fee from maintenance, child or family support, or arrearage payments. Fees collected under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) 20.437 (2) (ja).

SECTION 3738. 767.57 (1m) (c) of the statutes is amended to read:

767.57 (1m) (c) The party entitled to the support or maintenance money or a minor child of the party has applied for or is receiving aid under s. 46.261 48.645 or public assistance under ch. 49 and there is an assignment to the state under s. 46.261
SECTION 3738. 767.57 (2) of the statutes is amended to read:

767.57 (2) PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to maintenance or support, or both, is receiving public assistance under ch. 49, the party may assign the party’s right to support or maintenance to the county department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment shall be approved by order of the court granting the maintenance or support. The assignment may not be terminated if there is a delinquency in the amount to be paid to the assignee of maintenance and support previously ordered without the written consent of the assignee or upon notice to the assignee and a hearing. When an assignment of maintenance or support, or both, has been approved by the order, the assignee shall be deemed a real party in interest within s. 803.01 solely for the purpose of securing payment of unpaid maintenance or support ordered to be paid, by participating in proceedings to secure the payment of unpaid amounts. Notwithstanding assignment under this subsection, and without further order of the court, the department or its designee, upon receiving notice that a party or a minor child of the parties is receiving aid under s. 46.261, 48.645 or public assistance under ch. 49 or that a kinship care relative or long-term kinship care relative of the minor child is receiving kinship care payments or long-term kinship care payments for the minor child, shall forward all support assigned under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. 46.261 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19).

SECTION 3740. 767.57 (4) of the statutes is amended to read:
767.57 (4) Procedure for certain child recipients. If an order or judgment providing for the support of one or more children not receiving aid under s. 46.261, 48.57 (3m) or (3n), 48.645, or 49.19 includes support for a minor who is the beneficiary of aid under s. 46.261, 48.57 (3m) or (3n), 48.645, or 49.19, any support payment made under the order or judgment is assigned to the state under s. 46.261 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b. in the amount that is the proportionate share of the minor receiving aid under s. 46.261, 48.57 (3m) or (3n), 48.645, or 49.19, except as otherwise ordered by the court on the motion of a party.

Section 3741. 767.59 (1c) (a) (intro.) of the statutes is amended to read:

767.59 (1c) (a) (intro.) On the petition, motion, or order to show cause of either of the parties, the department, a county department under s. 46.215, 46.22, or 46.23, or a county child support agency under s. 59.53 (5) if an assignment has been made under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h), or 49.45 (19) or if either party or their minor children receive aid under s. 48.57 (3m) or (3n) or 48.645 or ch. 49, a court may, except as provided in par. (b), do any of the following:

Section 3742. 767.59 (1f) (b) 4. of the statutes is amended to read:

767.59 (1f) (b) 4. A difference between the amount of child support ordered by the court to be paid by the payer and the amount that the payer would have been required to pay based on the percentage standard established by the department under s. 49.22 (9) if the court did not use the percentage standard in determining the child support payments and did not provide the information required under s. 46.10 (14) (d), 49.345 (14) (d), 301.12 (14) (d), or 767.511 (1n), whichever is appropriate.

Section 3743. 767.59 (2) (c) of the statutes is amended to read:
767.59 (2) (c) If the court revises a judgment or order providing for child support that was entered under s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) (a) or 938.363 (2), the court shall determine child support in the manner provided in s. 46.10 49.345 (14) or 301.12 (14), whichever is applicable.

**SECTION 3744.** 767.59 (2s) of the statutes is amended to read:

767.59 (2s) **STIPULATION FOR REVISION OF SUPPORT.** In an action under sub. (1c), the court may not approve a stipulation for the revision of a judgment or order with respect to an amount of child support or family support unless the stipulation provides for payment of an amount of child support or family support that is determined in the manner required under s. 46.10 (14), 49.345 (14), 301.12 (14), 767.511, 767.805 (4), or 767.89, whichever is appropriate.

**SECTION 3745.** 767.87 (2m) of the statutes is amended to read:

767.87 (2m) **ADMISSIBILITY OF CERTAIN MEDICAL AND GENETIC INFORMATION.** Medical and genetic information filed with the department of health and family services or the court under s. 48.425 (1) (am) or (2) is not admissible to prove the paternity of the child.

**SECTION 3746.** 767.87 (6) (a) of the statutes is amended to read:

767.87 (6) (a) Whenever the state brings the action to determine paternity pursuant to an assignment under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19), or receipt of benefits under s. 49.148, 49.155, 49.157, or 49.159, the natural mother of the child may not be compelled to testify about the paternity of the child if it has been determined that the mother has good cause for refusing to cooperate in establishing paternity as provided in 42 USC 602 (a) (26) (B) and the federal regulations promulgated pursuant to this statute, as of July 1, 1981,
and pursuant to any rules promulgated by the department which define good cause
in accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B)
in effect on July 1, 1981.

SECTION 3746h. 767.89 (2) of the statutes is renumbered 767.89 (2) (a).

SECTION 3746i. 767.89 (2) (b) of the statutes is created to read:

767.89 (2) (b) If the clerk of court or county child support agency is unable to
collect any of the following fees under par. (a), the department shall pay the fee and
may not require the county or county child support agency to reimburse the
department for the cost:

1. A fee for omitting the father’s name on a birth certificate under s. 69.15 (3)
   (a) 1.
2. A fee for changing the father’s name on a birth certificate under s. 69.15 (3)
   (a) 2.
3. A fee for inserting the father’s name on a birth certificate under s. 69.15 (3)
   (a) 3.

SECTION 3747. 769.201 (7) of the statutes is amended to read:

769.201 (7) The individual asserted parentage in a declaration of paternal
interest filed with the department of health and family services children and families
under s. 48.025 or in a statement acknowledging paternity filed with the state
registrar under s. 69.15 (3) (b) 1. or 3.

SECTION 3748. 769.31 (1) of the statutes is amended to read:

769.31 (1) The department of workforce development children and families is
the state information agency under this chapter.

SECTION 3751. 801.02 (1) of the statutes is amended to read:
801.02 (1) Except as provided in s. 20.931 (5) (b), a civil action in which a personal judgment is sought is commenced as to any defendant when a summons and a complaint naming the person as defendant are filed with the court, provided service of an authenticated copy of the summons and of the complaint is made upon the defendant under this chapter within 90 days after filing.

SECTION 3752. 803.03 (2) (c) of the statutes is amended to read:

803.03 (2) (c) Scheduling and pretrial conferences. At the scheduling conference and pretrial conference, the judge to whom the case has been assigned shall inquire concerning the existence of and joinder of persons with subrogated, derivative or assigned rights and shall make such orders as are necessary to effectuate the purposes of this section. If the case is an action to recover damages based on alleged criminally injurious conduct, the court shall inquire to see if an award has been made under subch. I of ch. 949 and if the department of justice is subrogated to the cause of action under s. 949.15.

SECTION 3753. 803.09 (1) and (2) of the statutes are amended to read:

803.09 (1) Upon Except as provided in s. 20.931, upon timely motion anyone shall be permitted to intervene in an action when the movant claims an interest relating to the property or transaction which is the subject of the action and the movant is so situated that the disposition of the action may as a practical matter impair or impede the movant’s ability to protect that interest, unless the movant’s interest is adequately represented by existing parties.

(2) Upon Except as provided in s. 20.931, upon timely motion anyone may be permitted to intervene in an action when a movant’s claim or defense and the main action have a question of law or fact in common. When a party to an action relies for ground of claim or defense upon any statute or executive order or rule administered
by a federal or state governmental officer or agency or upon any regulation, order, rule, requirement or agreement issued or made pursuant to the statute or executive order, the officer or agency upon timely motion may be permitted to intervene in the action. In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.

SECTION 3754. 804.01 (2) (intro.) of the statutes is amended to read:

804.01 (2) SCOPE OF DISCOVERY. (intro.) Unless Except as provided in s. 20.931 (9), and unless otherwise limited by order of the court in accordance with the provisions of this chapter, the scope of discovery is as follows:

SECTION 3755. 805.04 (1) of the statutes is amended to read:

805.04 (1) BY PLAINTIFF; BY STIPULATION. An Except as provided in sub. (2m), an action may be dismissed by the plaintiff without order of court by serving and filing a notice of dismissal at any time before service by an adverse party of responsive pleading or motion or by the filing of a stipulation of dismissal signed by all parties who have appeared in the action. Unless otherwise stated in the notice of dismissal or stipulation, the dismissal is not on the merits, except that a notice of dismissal operates as an adjudication on the merits when filed by a plaintiff who has once dismissed in any court an action based on or including the same claim.

SECTION 3756. 805.04 (2m) of the statutes is created to read:

805.04 (2m) FALSE CLAIMS. An action filed under s. 20.931 may be dismissed only by order of the court. In determining whether to dismiss the action filed under s. 20.931, the court shall take into account the best interests of the parties and the purposes of s. 20.931.

SECTION 3757. 806.025 (2) (am) of the statutes is amended to read:
806.025 (2) (am) If money remains after the payment of all unpaid orders and judgments under par. (a), order reimbursement to the department of justice for an award made under subch. I of ch. 949 for which the department is subrogated under s. 949.15.

SECTION 3758. 809.105 (13) of the statutes is amended to read:

809.105 (13) CERTAIN PERSONS BARRED FROM PROCEEDINGS. No parent, or guardian or legal custodian, if one has been appointed, or foster parent or treatment foster parent, if the minor has been placed in a foster home or treatment foster home, and the minor’s parent has signed a waiver granting the department of health and family services children and families, a county department under s. 46.215, 46.22, or 46.23, the foster parent or the treatment foster parent the authority to consent to medical services or treatment on behalf of the minor, or adult family member, as defined in s. 48.375 (2) (b), of any minor who has initiated an appeal under this section may attend or intervene in any proceeding under this section.

SECTION 3759. 809.30 (2) (d) of the statutes is amended to read:

809.30 (2) (d) Indigency redetermination. Except as provided in this paragraph, whenever a person whose trial counsel is appointed by the state public defender files a notice under par. (b) requesting public defender representation for purposes of postconviction or postdisposition relief, the prosecutor may, within 5 days after the notice is served and filed, file in the circuit court and serve upon the state public defender a request that the person’s indigency be redetermined before counsel is appointed or transcripts are requested. This paragraph does not apply to a child or juvenile person who is entitled to be represented by counsel under s. 48.23, 51.60 (1), 55.105, or 938.23.

SECTION 3760. 813.12 (5) (b) of the statutes is amended to read:
813.12 (5) (b) The clerk of circuit court shall provide the simplified forms provided under s. 46.95 49.165 (3) (c) to help a person file a petition.

SECTION 3761. 813.122 (6) (b) of the statutes is amended to read:

813.122 (6) (b) Upon request, the clerk of circuit court shall provide, without cost, the simplified forms obtained under s. 46.03 48.47 (7) (d) to a petitioner.

SECTION 3763. 814.61 (13) of the statutes is amended to read:

814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services, whenever a person not receiving benefits under s. 49.148 or 49.155 or aid under s. 49.19, 49.46, 49.465, 49.468 or 49.47, or 49.471 files a petition requesting child support, maintenance or family support payments, $10 in addition to any other fee required under this section. This subsection does not apply to a petition filed by the state or its delegate.

SECTION 3764. 814.69 (1) (a) of the statutes is amended to read:

814.69 (1) (a) For a transcript under SCR 71.04, a fee at the rate of $1.50 per 25-line page for the original and 50 cents per 25-line page for the duplicate. Except as provided in s. 967.06 (3), the fee shall be paid by the county treasurer upon the certificate of the clerk of court.

SECTION 3765. 814.75 (22m) of the statutes is amended to read:

814.75 (22m) The supplemental food enforcement surcharge under s. 253.06 49.17 (4) (c).

SECTION 3766. 814.76 (15m) of the statutes is amended to read:

814.76 (15m) The supplemental food enforcement surcharge under s. 253.06 49.17 (4) (c).

SECTION 3767. 814.80 (11) of the statutes is amended to read:
814.80 (11) The supplemental food enforcement surcharge under s. 253.06
49.17 (4) (c).

**SECTION 3768.** 859.07 (2) (a) (intro.) of the statutes is amended to read:

859.07 (2) (a) (intro.) The personal representative shall provide notice of the
date set under s. 859.01 to the department of health and family services, the
department of children and families, or the department of corrections, as applicable,
and to the county clerk of the decedent’s county of residence, as defined in s. 49.001
(6) if, at any time prior to or at the time of the decedent’s death, any of the following
applied:

**SECTION 3769.** 859.07 (2) (a) 2. of the statutes is amended to read:

859.07 (2) (a) 2. The decedent was responsible for any obligation owing to the
state or a county under s. 46.03 (18), 46.10, 48.36, 49.32 (1), 49.345, 301.03 (18),
301.12, or 938.36.

**SECTION 3770.** 859.15 of the statutes is amended to read:

859.15 **Effect of statute of limitations.** Except as provided in ss. 46.10 (11),
49.08 and 49.195 (1), 49.345 (11), and 301.12 (11), a claim shall not be allowed which
was barred by any statute of limitations at the time of the decedent’s death. A
claim shall not be barred by statutes of limitation which was not barred at the
time of the decedent’s death if the claim is filed against the decedent’s estate in the
court on or before the deadline for filing a claim under s. 859.01.

**SECTION 3771.** 885.01 (5) of the statutes is amended to read:

885.01 (5) By the department of workforce development children and families
or a county child support agency under s. 59.53 (5) in the administration of ss. 49.145,
49.19, 49.22, 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011
to 2029.
SECTION 3772. 885.01 (5) of the statutes, as affected by 2007 Wisconsin Act ..., is amended to read:

885.01 (5) By the department of children and families or a county child support agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, 49.22, 49.46 and 49.47, and 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029.

SECTION 3773. 885.38 (3) (a) (intro.) of the statutes is amended to read:

885.38 (3) (a) (intro.) In criminal proceedings and in proceedings under ch. 48, 51, 55, or 938, if the court determines that the person has limited English proficiency and that an interpreter is necessary, the court shall advise the person that he or she has the right to a qualified interpreter and that, if the person cannot afford one, an interpreter will be provided at the public's expense if the person is one of the following:

SECTION 3774. 885.38 (8) (a) (intro.) of the statutes is amended to read:

885.38 (8) (a) (intro.) Except as provided in par. (b), the necessary expenses of providing qualified interpreters to indigent persons with limited English proficiency under this section shall be paid as follows:

SECTION 3775. 893.981 of the statutes is created to read:

893.981 False claims. An action or claim under s. 20.931 shall be commenced within 10 years after the cause of the action or claim accrues or be barred.

SECTION 3776. 895.45 (1) (a) of the statutes is amended to read:

895.45 (1) (a) “Abusive conduct” means domestic abuse, as defined under s. 46.95 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under s. 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss. 948.02 to 948.11.
SECTION 3777. 895.4803 of the statutes is amended to read:

895.4803 Civil liability exemption; information concerning paternity.

Any member of the staff of a hospital who is designated by the hospital and trained by the department of workforce development children and families under s. 69.14 (1) (cm) and who in good faith provides to a child’s available parents written information that is provided by the department of workforce development children and families and oral information or an audio or video presentation about the form that is prescribed by the state registrar under s. 69.15 (3) (b) 3. and about the significance and benefits of, and alternatives to, establishing paternity, under the requirements of s. 69.14 (1) (cm), is immune from civil liability for his or her acts or omissions in providing that oral information or audio or video presentation and written information.

SECTION 3778. 895.485 (4) (a) of the statutes is amended to read:

895.485 (4) (a) The agency has failed to provide the foster, treatment foster, or family-operated group home parent with any information relating to a medical, physical, mental, or emotional condition of the child that it is required to disclose under this paragraph. The department of health and family services children and families shall promulgate rules specifying the kind of information that an agency shall disclose to a foster, treatment foster, or family-operated group home parent which relates to a medical, physical, mental, or emotional condition of the child.

SECTION 3778m. 895.507 (7m) of the statutes is amended to read:

895.507 (7m) Effect of federal legislation. If the joint committee on administrative rules determines that the federal government has enacted legislation that imposes notice requirements substantially similar to the requirements of this section and determines that the legislation does not preempt this section, the joint
committee on administrative rules shall submit to the revisor of statutes legislative
reference bureau for publication in the Wisconsin administrative register a notice of
its determination. This section does not apply after publication of a notice under this
subsection.

SECTION 3779. 905.15 (1) of the statutes is amended to read:

905.15 (1) An employee of the department of health and family services, the
department of workforce development children and families or a county department
under s. 46.215, 46.22 or 46.23 or a member of a governing body of a federally
recognized American Indian tribe who is authorized by federal law to have access to
or awareness of the federal tax return information of another in the performance of
duties under s. 49.19 or 49.45 or 7 USC 2011 to 2049 may claim privilege to refuse
to disclose the information and the source or method by which he or she received or
otherwise became aware of the information.

SECTION 3780. 938.02 (6) of the statutes is amended to read:

938.02 (6) “Foster home” means any facility that is operated by a person
required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
no more than 4 juveniles or, if necessary to enable a sibling group to remain together,
for no more than 6 juveniles or, if the department of health and family services
children and families promulgates rules permitting a different number of juveniles,
for the number of juveniles permitted under those rules.

SECTION 3781. 938.02 (7) of the statutes is amended to read:

938.02 (7) “Group home” means any facility operated by a person required to
be licensed by the department of health and family services children and families
under s. 48.625 for the care and maintenance of 5 to 8 juveniles.

SECTION 3782. 938.02 (17) of the statutes is amended to read:
938.02 (17) “Shelter care facility” means a nonsecure place of temporary care
and physical custody for juveniles, including a holdover room, licensed by the
department of health and family services children and families under s. 48.66 (1) (a).

SECTION 3783. 938.06 (1) (b) of the statutes is amended to read:

938.06 (1) (b) Notwithstanding par. (a), the county board of supervisors may
make changes in the administration of services to the children’s court center in order
to qualify for the maximum amount of federal and state aid as provided in sub. (4)
and s. ss. 46.495 and 48.569.

SECTION 3784. 938.06 (4) of the statutes is amended to read:

938.06 (4) STATE AID. State aid to any county for juvenile delinquency–related
court services under this section shall be at the same net effective rate that each
county is reimbursed for county administration under s. 46.495 48.569, except as
provided in s. 301.26. Counties having a population of less than 500,000 may use
funds received under ss. 46.495 48.569 (1) (d) and 301.26, including county or federal
revenue sharing funds allocated to match funds received under s. 46.495 48.569 (1)
(d), for the cost of providing court attached intake services in amounts not to exceed
50% of the cost of providing court attached intake services or $30,000 per county per
calendar year, whichever is less.

SECTION 3786. 938.21 (5) (b) 1. of the statutes is renumbered 938.21 (5) (b) 1.
a. and amended to read:

938.21 (5) (b) 1. a. A finding that continued placement of the juvenile in his or
her home would be contrary to the welfare of the juvenile. Unless the court finds that
any of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies, the order shall
in addition include a
b. A finding as to whether the person who took the juvenile into custody and the intake worker have made reasonable efforts to prevent the removal of the juvenile from the home, while assuring that the juvenile’s health and safety are the paramount concerns, and unless the court finds that any of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies.

c. A finding as to whether the person who took the juvenile into custody and the intake worker have made reasonable efforts to make it possible for the juvenile to return safely home.

1m. If for good cause shown sufficient information is not available for the court to make a finding as to whether those reasonable efforts were made to prevent the removal of the juvenile from the home, the order shall include while assuring that the juvenile's health and safety are the paramount concerns, a finding as to whether those reasonable efforts were made to make it possible for the juvenile to return safely home and an order for the county department or agency primarily responsible for providing services to the juvenile under the custody order to file with the court sufficient information for the court to make a finding as to whether those reasonable efforts were made to prevent the removal of the juvenile from the home by no later than 5 days, excluding Saturdays, Sundays, and legal holidays, after the date on which the order is granted.

SECTION 3787. 938.21 (5) (b) 1. d. of the statutes is created to read:

938.21 (5) (b) 1. d. If the juvenile is under the supervision of the county department, an order ordering the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and assigning the county department primary responsibility for providing services to the juvenile.
Section 3788. 938.21 (5) (c) of the statutes is amended to read:

938.21 (5) (c) The court shall make the findings specified in par. (b) 1., 1m., and 3. on a case-by-case basis based on circumstances specific to the juvenile and shall document or reference the specific information on which those findings are based in the custody order. A custody order that merely references par. (b) 1., 1m., or 3. without documenting or referencing that specific information in the custody order or an amended custody order that retroactively corrects an earlier custody order that does not comply with this paragraph is not sufficient to comply with this paragraph.

Section 3789. 938.22 (1) (a) of the statutes is amended to read:

938.22 (1) (a) Subject to s. 48.66 (1) (b), the county board of supervisors of a county may establish a juvenile detention facility in accordance with ss. 301.36 and 301.37 or the county boards of supervisors for 2 or more counties may jointly establish a juvenile detention facility in accordance with ss. 46.20, 301.36, and 301.37. The county board of supervisors of a county may establish a shelter care facility in accordance with ss. 46.16 and 46.17, 48.576 and 48.578 or the county boards of supervisors for 2 or more counties may jointly establish a shelter care facility in accordance with ss. 46.16, 46.17, and 46.20, 48.576, and 48.578. A private entity may establish a juvenile detention facility in accordance with ss. 301.36 and 301.37 and contract with one or more county boards of supervisors under s. 938.222 to hold juveniles in the private juvenile detention facility.

Section 3790. 938.22 (2) (a) of the statutes is amended to read:

938.22 (2) (a) Counties shall submit plans for a juvenile detention facility or juvenile portion of the county jail to the department of corrections and submit plans for a shelter care facility to the department of health and family services children and families. A private entity that proposes to establish a juvenile detention facility shall
submit plans for the facility to the department of corrections. The applicable
department shall review the submitted plans. A county or a private entity may not
implement a plan unless the applicable department has approved the plan. The
department of corrections shall promulgate rules establishing minimum
requirements for the approval and operation of juvenile detention facilities and the
juvenile portion of county jails. The plans and rules shall be designed to protect the
health, safety, and welfare of the juveniles placed in those facilities.

**SECTION 3790.** 938.22 (7) (a) of the statutes is amended to read:

938.22 (7) (a) No person may establish a shelter care facility without first
obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to
operate a shelter care facility, a person must meet the minimum requirements for a
license established by the department of health and family services children and
families under s. 48.67, meet the requirements specified in s. 48.685, and pay the
license fee under par. (b). A license issued under s. 48.66 (1) (a) to operate a shelter
care facility is valid until revoked or suspended, but shall be reviewed every 2 years
as provided in s. 48.66 (5).

**SECTION 3792.** 938.22 (7) (b) of the statutes is amended to read:

938.22 (7) (b) Before the department of health and family services children and
families may issue a license under s. 48.66 (1) (a) to operate a shelter care facility,
the shelter care facility shall pay to that department a biennial fee of $60.50, plus
a biennial fee of $18.15 per juvenile, based on the number of juveniles that the shelter
care facility is licensed to serve. A shelter care facility that wishes to continue a
license issued under s. 48.66 (1) (a) shall pay the fee by the continuation date of the
license. A new shelter care facility shall pay the fee by no later than 30 days before
the opening of the shelter care facility.
SECTION 3793. 938.235 (4) (b) of the statutes is amended to read:

938.235 (4) (b) The court shall order the agency identified under s. 938.355 (2) (b) 1. 938.33 (1) (c) as primarily responsible for the provision of services to notify the guardian ad litem, if any, regarding actions to be taken under par. (a).

SECTION 3795. 938.30 (6) (b) of the statutes is amended to read:

938.30 (6) (b) If it appears to the court that disposition of the case may include placement of the juvenile outside the juvenile’s home, the court shall order the juvenile’s parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile’s parent to the court or the designated agency under s. 938.33 (1) at least 5 days before the scheduled date of the dispositional hearing or as otherwise ordered by the court. The clerk of court shall provide, without charge, to any parent ordered to provide that statement a document setting forth the percentage standard established by the department of workforce development children and families under s. 49.22 (9) and listing the factors that a court may consider under s. 301.12 (14) (c).

SECTION 3796. 938.31 (7) (b) of the statutes is amended to read:

938.31 (7) (b) If it appears to the court that disposition of the case may include placement of the juvenile outside the juvenile’s home, the court shall order the juvenile’s parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile’s parent, to the court or the designated agency under s. 938.33 (1) at least 5 days before the scheduled date of the dispositional hearing or as otherwise ordered by the court. The clerk of court shall provide, without charge, to any parent ordered to provide the statement a document setting forth the percentage standard established by the department of workforce
development children and families under s. 49.22 (9) and listing the factors that a
court may consider under s. 301.12 (14) (c).

SECTION 3797. 938.315 (2m) (a) of the statutes is amended to read:

938.315 (2m) (a) The court making an initial finding under s. 938.21 (5) (b) 1.
or 1m., 938.355 (2) (b) 6., or 938.357 (2v) (a) 1. that reasonable efforts have been made
to prevent the removal of the juvenile from the home, while assuring that the
juvenile’s health and safety are the paramount concerns, or an initial finding under
s. 938.21 (5) (b) 3., 938.355 (2) (b) 6r., or 938.357 (2v) (a) 3. that those efforts were not
required to be made because a circumstance specified in s. 938.355 (2d) (b) 1. to 4.
applies, more than 60 days after the date on which the juvenile was removed from
the home.

SECTION 3798. 938.32 (1) (c) 1. d. of the statutes is created to read:

938.32 (1) (c) 1. d. If the juvenile’s placement or other living arrangement is
under the supervision of the county department, an order ordering the juvenile into
the placement and care responsibility of the county department as required under
42 USC 672 (a) (2) and assigning the county department primary responsibility for
providing services to the juvenile.

SECTION 3806. 938.346 (1) (h) 3. of the statutes is amended to read:

938.346 (1) (h) 3. The right to compensation, as provided under subch. I of ch.
949.

SECTION 3807. 938.355 (2) (b) 1. of the statutes is amended to read:

938.355 (2) (b) 1. The specific services or continuum of services to be provided
to the juvenile and the juvenile’s family, the identity of the agencies that are
primarily responsible for the provision of the services, the identity of the person or
agency that will provide case management or coordination of services, if any, and, if
custody is to be transferred to effect the treatment plan, the identity of the legal custodian.

**SECTION 3808.** 938.355 (2) (b) 6g. of the statutes is created to read:

938.355 (2) (b) 6g. If the juvenile is placed outside the home under the supervision of the county department, an order ordering the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and assigning the county department primary responsibility for providing services to the juvenile.

**SECTION 3809.** 938.355 (2b) of the statutes is amended to read:

938.355 (2b) **CONCURRENT REASONABLE EFFORTS PERMITTED.** A county department or the agency primarily responsible for providing services to a juvenile under a court order may, at the same time as the county department or agency is making the reasonable efforts required under sub. (2) (b) 6. to prevent the removal of the juvenile from the home or to make it possible for the juvenile to return safely to his or her home, work with the department of health and family services children and families, a county department under s. 48.57 (1) (e) or (hm), or a child welfare agency licensed under s. 48.61 (5) in making reasonable efforts to place the juvenile for adoption, with a guardian, with a fit and willing relative, or in some other alternative permanent placement.

**SECTION 3810.** 938.355 (6) (d) 1. of the statutes is amended to read:

938.355 (6) (d) 1. Placement of the juvenile in a secure detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the
period of detention or nonsecure custody imposed under this subdivision for all time
spent in secure detention in connection with the course of conduct for which the
detention or nonsecure custody was imposed. If the court orders placement of the
juvenile in a place of nonsecure custody under the supervision of the county
department, the court shall order the juvenile into the placement and care
responsibility of the county department as required under 42 USC 672 (a) (2) and
shall assign the county department primary responsibility for providing services to
the juvenile.

SECTION 3812. 938.355 (6m) (a) 1g. of the statutes is amended to read:

938.355 (6m) (a) 1g. Placement of the juvenile in a secure detention facility or
juvenile portion of a county jail that meets the standards promulgated by the
department by rule or in a place of nonsecure custody, for not more than 10 days and
the provision of educational services consistent with his or her current course of
study during the period of placement. The juvenile shall be given credit against the
period of detention or nonsecure custody imposed under this subdivision for all time
spent in secure detention in connection with the course of conduct for which the
detention or nonsecure custody was imposed. The use of placement in a secure
detention facility or in a juvenile portion of a county jail as a sanction under this
subdivision is subject to the adoption of a resolution by the county board of
supervisors under s. 938.06 (5) authorizing the use of those placements as a sanction.
If the court orders placement of the juvenile in a place of nonsecure custody under
the supervision of the county department, the court shall order the juvenile into the
placement and care responsibility of the county department as required under 42
USC 672 (a) (2) and shall assign the county department primary responsibility for
providing services to the juvenile.
SECTION 3814. 938.357 (1) (am) 3. of the statutes is amended to read:

938.357 (1) (am) 3. If the court changes the juvenile’s placement from a placement outside the home to another placement outside the home, the change in placement order shall contain one of the statements the applicable order under sub. (2v) (a) 1m. and the applicable statement under sub. (2v) (a) 2.

SECTION 3815. 938.357 (1) (c) 3. of the statutes is amended to read:

938.357 (1) (c) 3. If the court changes the juvenile’s placement from a placement in the juvenile’s home to a placement outside the juvenile’s home, the change in placement order shall contain the findings under sub. (2v) (a) 1., one of the statements the applicable order under sub. (2v) (a) 1m., the applicable statement under sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances under s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, the determination under sub. (2v) (a) 3.

SECTION 3816. 938.357 (2m) (c) of the statutes is amended to read:

938.357 (2m) (c) In−home to out−of−home placement; findings Findings required. If the court changes the juvenile’s placement from a placement in the juvenile’s home to a placement outside the juvenile’s home, the change in placement order shall contain the findings under sub. (2v) (a) 1., one of the statements the applicable order under sub. (2v) (a) 1m., the applicable statement under sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances under s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, the determination under sub. (2v) (a) 3. If the court changes the juvenile’s placement from a placement outside the home to another placement outside the home, the change in placement order shall contain the applicable order under sub. (2v) (a) 1m. and the applicable statement under sub. (2v) (a) 2.
SECTION 3817. 938.357 (2v) (a) 1m. of the statutes is created to read:

938.357 (2v) (a) 1m. If the change in placement order changes the placement of a juvenile who is under the supervision of the county department to a placement outside the juvenile’s home, whether from a placement in the home or from another placement outside the home, an order ordering the juvenile into, or to be continued in, the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and assigning the county department primary responsibility, or continued primary responsibility, for providing services to the juvenile.

SECTION 3818. 938.357 (4) (a) of the statutes is amended to read:

938.357 (4) (a) When the juvenile is placed with the department, the department may, after an examination under s. 938.50, place the juvenile in a juvenile correctional facility or a secured residential care center for children and youth or on aftercare supervision, either immediately or after a period of placement in a juvenile correctional facility or a secured residential care center for children and youth. The department shall send written notice of the change in placement to the parent, guardian, legal custodian, county department designated under s. 938.34 (4n), if any, and committing court. If the department places a juvenile in a Type 2 juvenile correctional facility operated by a child welfare agency, the department shall reimburse the child welfare agency at the rate established under s. 46.037 49.343 that is applicable to the type of placement that the child welfare agency is providing for the juvenile. A juvenile who is placed in a Type 2 juvenile correctional facility or a secured residential care center for children and youth remains under the supervision of the department, remains subject to the rules and discipline of that department, and is considered to be in custody, as defined in s. 946.42 (1) (a).

SECTION 3819. 938.357 (4) (b) 2. of the statutes is amended to read:
938.357 (4) (b) 2. If a juvenile whom the court has placed in a Type 2 residential
care center for children and youth under s. 938.34 (4d) violates a condition of his or
her placement in the Type 2 residential care center for children and youth, the child
welfare agency operating the Type 2 residential care center for children and youth
shall notify the county department that has supervision over the juvenile and, if the
county department agrees to a change in placement under this subdivision, the child
welfare agency shall notify the department, and the department, after consulting
with the child welfare agency, may place the juvenile in a Type 1 juvenile correctional
facility under the supervision of the department, without a hearing under sub. (1)
(am) 2., for not more than 10 days. If a juvenile is placed in a Type 1 juvenile
correctional facility under this subdivision, the county department that has
supervision over the juvenile shall reimburse the child welfare agency operating the
Type 2 residential care center for children and youth in which the juvenile was
placed at the rate established under s. 46.037, and that child welfare agency
shall reimburse the department at the rate specified in s. 301.26 (4) (d) 2. or 3.,
whichever is applicable, for the cost of the juvenile’s care while placed in a Type 1
juvenile correctional facility.

SECTION 3820. 938.357 (4) (c) 1. of the statutes is amended to read:

938.357 (4) (c) 1. If a juvenile is placed in a Type 2 juvenile correctional facility
operated by a child welfare agency under par. (a) and it appears that a less restrictive
placement would be appropriate for the juvenile, the department, after consulting
with the child welfare agency that is operating the Type 2 juvenile correctional
facility, may place the juvenile in a less restrictive placement, and may return the
juvenile to the Type 2 juvenile correctional facility without a hearing under sub. (1)
(am) 2. The child welfare agency shall establish a rate for each type of placement in
the manner provided in s. 46.037 49.343.

**SECTION 3821.** 938.357 (4) (c) 2. of the statutes is amended to read:

938.357 (4) (c) 2. If a juvenile is placed in a Type 2 residential care center for
children and youth under s. 938.34 (4d) and it appears that a less restrictive
placement would be appropriate for the juvenile, the child welfare agency operating
the Type 2 residential care center for children and youth shall notify the county
department that has supervision over the juvenile and, if the county department
agrees to a change in placement under this subdivision, the child welfare agency may
place the juvenile in a less restrictive placement. A child welfare agency may also,
with the agreement of the county department that has supervision over a juvenile
who is placed in a less restrictive placement under this subdivision, return the
juvenile to the Type 2 residential care center for children and youth without a
hearing under sub. (1) (am) 2. The child welfare agency shall establish a rate for each
type of placement in the manner provided in s. 46.037 49.343.

**SECTION 3822.** 938.357 (5m) (a) of the statutes is amended to read:

938.357 (5m) (a) If a proposed change in placement would change a juvenile’s
placement from a placement in the juvenile’s home to a placement outside the
juvenile’s home, the court shall order the juvenile’s parent to provide a statement of
the income, assets, debts, and living expenses of the juvenile and the juvenile’s
parent to the court or the person or agency primarily responsible for implementing
the dispositional order by a date specified by the court. The clerk of court shall
provide, without charge, to any parent ordered to provide that statement a document
setting forth the percentage standard established by the department of workforce
development children and families under s. 49.22 (9) and listing the factors under
s. 301.12 (14) (c). If the juvenile is placed outside the juvenile’s home, the court shall
determine the liability of the parent in the manner provided in s. 301.12 (14).

**SECTION 3823.** 938.36 (1) (b) of the statutes is amended to read:

938.36 (1) (b) In determining the amount of support under par. (a), the court
may consider all relevant financial information or other information relevant to the
parent’s earning capacity, including information reported under s. 49.22 (2m) to the
department of workforce development children and families, or the county child
support agency, under s. 59.53 (5). If the court has insufficient information with
which to determine the amount of support, the court shall order the juvenile’s parent
to furnish a statement of the income, assets, debts, and living expenses of the juvenile
and the juvenile’s parent, if the parent has not already done so, to the court within
10 days after the court’s order transferring custody or designating an alternative
placement is entered or at such other time as ordered by the court.

**SECTION 3824.** 938.363 (1) (c) of the statutes is amended to read:

938.363 (1) (c) If the proposed revision is for a change in the amount of child
support to be paid by a parent, the court shall order the juvenile’s parent to provide
a statement of the income, assets, debts, and living expenses of the juvenile and the
juvenile’s parent to the court and the person or agency primarily responsible for
implementing the dispositional order by a date specified by the court. The clerk of
court shall provide, without charge, to any parent ordered to provide that statement
a document setting forth the percentage standard established by the department of
workforce development children and families under s. 49.22 (9) and listing the
factors that a court may consider under s. 301.12 (14) (c).

**SECTION 3825.** 938.38 (2) (intro.) of the statutes is amended to read:
938.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3), for each juvenile living in a foster home, treatment foster home, group home, residential care center for children and youth, juvenile detention facility, or shelter care facility, the agency that placed the juvenile or arranged the placement or the agency assigned primary responsibility for providing services to the juvenile under s. 938.355 (2) (b) 6g, shall prepare a written permanency plan, if any of the following conditions exists, and, for each juvenile living in the home of a relative other than a parent, that agency shall prepare a written permanency plan, if any of the conditions under pars. (a) to (e) exists:

SECTION 3826. 938.396 (2g) (b) of the statutes is amended to read:

938.396 (2g) (b) Federal program monitoring. Upon request of the department of health and family services, the department of corrections children and families, or a federal agency to review court records for the purpose of monitoring and conducting periodic evaluations of activities as required by and implemented under 45 CFR 1355, 1356, and 1357, the court shall open those records for inspection by authorized representatives of that department or federal agency.

SECTION 3827. 938.396 (4) of the statutes is amended to read:

938.396 (4) OPERATING PRIVILEGE RECORDS. When a court assigned to exercise jurisdiction under this chapter and ch. 48 or a municipal court exercising jurisdiction under s. 938.17 (2) revokes, suspends, or restricts a juvenile’s operating privilege under this chapter, the department of transportation may not disclose information concerning or relating to the revocation, suspension, or restriction to any person other than a court assigned to exercise jurisdiction under this chapter and ch. 48, a municipal court exercising jurisdiction under s. 938.17 (2), a district attorney, county corporation counsel, or city, village, or town attorney, a law enforcement agency, a
driver licensing agency of another jurisdiction, the juvenile whose operating
privilege is revoked, suspended, or restricted, or the juvenile’s parent or guardian.
Persons entitled to receive this information may not disclose the information to other
persons or agencies.

SECTION 3828. 938.538 (6) of the statutes is amended to read:

938.538 (6) PURCHASE OF SERVICES. The department of corrections may contract
with the department of health and family services, the department of children and
families, a county department, or any public or private agency for the purchase of
goods, care, and services for participants in the program under this section. The
department of corrections shall reimburse a person from whom it purchases goods,
care, or services under this subsection from the appropriation under s. 20.410 (3) (cg).

SECTION 3829. 938.547 (2) of the statutes is amended to read:

938.547 (2) DEPARTMENT RESPONSIBILITIES. Within the availability of funding
under s. 20.435 (7) 20.437 (1) (mb) that is available for the pilot program, the
department of health and family services children and families shall select counties
to participate in the pilot program. Unless a county department of human services
has been established under s. 46.23 in the county that is seeking to implement a pilot
program, the application submitted to the department of health and family services
children and families shall be a joint application by the county department that
provides social services and the county department established under s. 51.42 or
51.437. The department of health and family services children and families shall
select counties in accordance with the request-for-proposal procedures established
by that department. The department of health and family services children and
families shall give a preference to county applications that include a plan for case
management.
SECTION 3830. 938.548 of the statutes is amended to read:

938.548 Multidisciplinary screen and assessment criteria. The
department of health and family services children and families shall make the
multidisciplinary screen developed under s. 938.547 (3) and the assessment criteria
developed under s. 938.547 (4) available to all counties.

SECTION 3831. 938.57 (3) (a) (intro.) of the statutes is amended to read:

938.57 (3) (a) (intro.) From the reimbursement received under s. 46.495 48.569
(1) (d), counties may provide funding for the maintenance of any juvenile who meets
all of the following qualifications:

SECTION 3832. 938.57 (3) (a) 3. of the statutes is amended to read:

938.57 (3) (a) 3. Received funding under s. 46.495 48.569 (1) (d) immediately
prior to his or her 17th birthday.

SECTION 3833. 938.57 (3) (b) of the statutes is amended to read:

938.57 (3) (b) The funding provided for the maintenance of a juvenile under par.
(a) shall be in an amount equal to that to which the juvenile would receive under s.
46.495 48.569 (1) (d) if the juvenile were 16 years of age.

SECTION 3834. 938.78 (2) (h) of the statutes is amended to read:

938.78 (2) (h) Paragraph (a) does not prohibit the department of health and
family services children and families, a county department, or a licensed child
welfare agency from entering the content of any record kept or information received
by that department, county department, or licensed child welfare agency into the
statewide automated child welfare information system established under s. 46.03
48.47 (7g).

SECTION 3835. 948.22 (4) (b) of the statutes is amended to read:
948.22 (4) (b) For a person not subject to a court order requiring child, grandchild or spousal support payments, when the person knows or reasonably should have known that he or she has a dependent, failure to provide support equal to at least the amount established by rule by the department of workforce development children and families under s. 49.22 (9) or causing a spouse, grandchild or child to become a dependent person, or continue to be a dependent person, as defined in s. 49.01 (2).

SECTION 3836. 948.31 (1) (a) 2. of the statutes is amended to read:

948.31 (1) (a) 2. The department of health and family services children and families or the department of corrections or any person, county department under s. 46.215, 46.22, or 46.23, or licensed child welfare agency, if custody or supervision of the child has been transferred under ch. 48 or 938 to that department, person, or agency.

SECTION 3837. Subchapter I (title) of chapter 949 [precedes 949.001] of the statutes is created to read:

CHAPTER 949

SUBCHAPTER I

CRIME VICTIM COMPENSATION

SECTION 3838. 949.01 (intro.) of the statutes is amended to read:

949.01 Definitions. (intro.) In this chapter subchapter:

SECTION 3839. 949.02 of the statutes is amended to read:

949.02 Administration. The department shall administer this chapter subchapter. The department shall appoint a program director to assist in administering this chapter subchapter. The department shall promulgate rules for the implementation and operation of this chapter subchapter. The rules shall
include procedures to ensure that any limitation of an award is calculated in a fair and equitable manner.

**SECTION 3840.** 949.035 (1) of the statutes is amended to read:

949.035 (1) If a Wisconsin resident suffers injury or death in a situation described in s. 949.03 except that the act occurred outside this state, the resident has the same rights under this chapter subchapter as if the act had occurred in this state upon a showing that the state, territory, country or political subdivision of a country in which the act occurred does not have a compensation of victims of crimes law which covers the injury or death suffered by the person.

**SECTION 3841.** 949.04 (1) (intro.) of the statutes is amended to read:

949.04 (1) Eligibility. (intro.) Any person may apply for an award under this chapter subchapter.

**SECTION 3842.** 949.04 (2) of the statutes is amended to read:

949.04 (2) Forms. The department shall prescribe application forms for awards under this chapter subchapter and shall furnish law enforcement agencies with the forms. The law enforcement agency investigating a crime shall provide forms to each person who may be eligible to file a claim under this subchapter.

**SECTION 3843.** 949.06 (1) (intro.) of the statutes is amended to read:

949.06 (1) (intro.) In accordance with this chapter subchapter, the department shall make awards, as appropriate, for any of the following economic losses incurred as a direct result of an injury:

**SECTION 3844.** 949.06 (1m) (b) of the statutes is amended to read:

949.06 (1m) (b) In accordance with this chapter subchapter, the department shall make awards, as appropriate, to persons who, immediately prior to the crime, lived in the same household with and to family members of a victim of s. 940.01,
940.02, 940.05, 940.06, 940.07, 940.08 or 940.09 for any of the economic losses specified in sub. (1) as a result of the person’s or family member’s reaction to the death. A dependent may recover both under sub. (1) and this subsection, subject to the limitation under sub. (2).

**SECTION 3845.** 949.06 (3) (f) of the statutes is created to read:

949.06 (3) (f) From an award under s. 949.26.

**SECTION 3846.** 949.06 (4) (b) of the statutes is amended to read:

949.06 (4) (b) The department may suspend proceedings under this chapter subchapter for a period it deems appropriate on the grounds that a prosecution for an offense arising out of the act or omission has been commenced or is imminent.

**SECTION 3847.** 949.09 of the statutes is amended to read:

**949.09 Effect of conviction.** If any person has been convicted of any offense with respect to an act or omission on which a claim under this chapter subchapter is based, proof of that conviction shall be taken as conclusive evidence that the offense has been committed, unless an appeal or any proceeding with regard thereto is pending.

**SECTION 3848.** 949.11 (1) of the statutes is amended to read:

949.11 (1) The procedure of ch. 227 for contested cases applies to hearings under this chapter subchapter except as otherwise provided in this section and ss. 949.12 and 949.14.

**SECTION 3849.** 949.11 (2) of the statutes is amended to read:

949.11 (2) The division of hearings and appeals in the department of administration shall appoint hearing examiners to make findings and orders under s. 227.46 and this chapter subchapter.

**SECTION 3850.** 949.115 of the statutes is amended to read:
949.115 **Subpoenas.** The department or any of its authorized agents may issue subpoenas for persons or records for any investigation or hearing conducted under this chapter **subchapter** and may enforce compliance with such subpoenas as provided in s. 885.12.

**SECTION 3851.** 949.12 of the statutes is amended to read:

**949.12 Condition of claimant.** There is no privilege, except privileges arising from the attorney-client relationship, as to communications or records relevant to an issue of the physical, mental or emotional condition of the claimant or victim in a proceeding under this chapter **subchapter** in which that condition is an element.

**SECTION 3852.** 949.13 of the statutes is amended to read:

**949.13 Agency cooperation.** Upon request by the department, any state or local agency, including a district attorney or law enforcement agency, shall make available all reports, files and other appropriate information which the department requests in order to make a determination that a person is eligible for an award under this chapter **subchapter**.

**SECTION 3853.** 949.15 (1) of the statutes is amended to read:

949.15 **(1)** Whenever the department orders the payment of an award under this chapter **subchapter** as a result of the occurrence of an event that creates a cause of action on the part of a claimant against any person, the department is subrogated to the rights of the claimant and may bring an action against the person for the amount of the damages sustained by the claimant. If an amount greater than that paid under the award order is recovered and collected in any such action, the department shall pay the balance to the claimant. If the person responsible for the injury or death has previously made restitution payments to the general fund under
s. 973.20, any judgment obtained by the department under this section shall be reduced by the amount of the restitution payments to the general fund.

**SECTION 3853.** 949.16 of the statutes is amended to read:

**949.16 Confidentiality of records.** The record of a proceeding before an examiner or the department under this chapter subchapter is a public record. Any record or report obtained by an examiner or the department, the confidentiality of which is protected by any other law or rule, shall remain confidential.

**SECTION 3854.** 949.165 (12) of the statutes is amended to read:

949.165 (12) **PAYMENT IS NOT AN AWARD.** Any payment from an escrow account under this section shall not be considered as an award by the department under this chapter subchapter.

**SECTION 3855.** 949.18 (intro.) of the statutes is amended to read:

949.18 (intro.) **Report by the department.** (intro.) The department’s biennial report under s. 15.04 (1) (d) shall include a report of its activities under this chapter subchapter including:

**SECTION 3856.** 949.18 (1) of the statutes is amended to read:

949.18 (1) **An explanation of the procedures for filing and processing claims under this chapter subchapter.**

**SECTION 3857.** 949.18 (4) of the statutes is amended to read:

949.18 (4) **A copy of the forms utilized under this chapter subchapter.**

**SECTION 3858.** 949.18 (5) (intro.) of the statutes is amended to read:

949.18 (5) (intro.) **A complete statistical analysis of the cases handled under this chapter subchapter, including:**

**SECTION 3860.** 949.18 (5) (e) of the statutes is amended to read:

949.18 (5) (e) **A summary of cases handled under this chapter subchapter.**
SECTION 3861. Subchapter II of chapter 949 [precedes 949.20] of the statutes is created to read:

CHAPTER 949

SUBCHAPTER II

SEXUAL ASSAULT FORENSIC EXAMINATION COMPENSATION

949.20 Definitions. In this subchapter:

(1) “Cooperate with a law enforcement agency” means to report a sex offense to a law enforcement agency or to aid a law enforcement agency in the investigation of a sex offense.

(2) “Department” means the department of justice.

(3) “Examination costs” means the costs of an examination that is done to gather evidence regarding a sex offense, any procedure during that examination process that tests for or prevents a sexually transmitted disease, and any medication provided or prescribed, during that examination process, that prevents or treats a sexually transmitted disease that the person performing the examination or procedure believes could be a consequence of the sex offense. “Examination costs” does not include any processing or administrative costs, attorney fees, or other expenses.

(4) “Guardian of the victim” means one of the following:

1. If the victim is under 18 years of age, the parent, guardian, or legal custodian of the victim.

2. If the victim has been determined to be incompetent under ch. 54, the guardian of the victim.

(5) “Health care provider” means any person providing health care services.
(6) “Law enforcement agency” has the meaning given in s. 165.83 (1) (b).

(7) “Sex offense” means an act committed in the state that, if committed by a competent adult, would be a violation, or an attempted violation, of s. 940.225, 948.02, 948.025, 948.05, 948.06, 948.08, or 948.09.

(8) “Sexually transmitted disease” has the meaning given in s. 252.11 (1).

(9) “Victim” means a person against whom a sex offense has been committed.

949.22 Administration. The department shall administer this subchapter. The department shall appoint a program director to assist in administering this subchapter. The department shall promulgate rules for the implementation and operation of this subchapter. The rules shall include procedures to ensure that any limitation of an award is calculated in a fair and equitable manner.

949.24 Application for award. (1) Eligibility. Any health care provider who conducts an examination to gather evidence regarding a sex offense may apply for an award under this subchapter.

(2) Forms. The department shall prescribe application forms for awards under this subchapter and shall furnish health care providers with the forms.

(3) Medical records. An applicant shall submit to the department reports from any physician, physician’s assistant, or nurse who treated or examined the victim to gather evidence regarding a sex offense, performed any procedure during that treatment or examination that tests for or prevents a sexually transmitted disease, or provided or prescribed any medication to prevent or treat a sexually transmitted disease. The applicant may not submit to the department any other records than those pertaining to the examination, treatment, procedure, or medication for which the applicant is seeking an award.
949.26 Computation of awards. (1) Except as provided in sub. (1m), the department shall make an award under this section to a health care provider who conducts an examination to gather evidence regarding a sex offense to reimburse the health care provider only for the examination costs, as follows:

(a) If, under sub. (2) (b), the health care provider is not authorized to seek payment from insurance or another available source of payment, the award shall be the examination costs, regardless of whether the victim, or any guardian of the victim, cooperates with a law enforcement agency regarding the sex offense.

(b) If, under sub. (2) (b), the health care provider is authorized to seek payment from insurance or another available source of payment and the victim, or any guardian of the victim, does not cooperate with a law enforcement agency regarding the sex offense, the award shall be the examination costs, reduced by any payment to be received as a result of the authorization under sub. (2) (b).

(1m) The department may not make an award under this section if, under sub. (2) (b), the health care provider is authorized to seek payment and the victim, or any guardian of the victim, cooperates with a law enforcement agency.

(2) (a) A health care provider seeking an award under this section may not seek payment for any examination costs from the victim or any guardian of the victim.

(b) A health care provider seeking an award under this section may not seek payment for any examination costs from insurance or another available source of payment unless the victim or any guardian of the victim authorizes the health care provider to seek payment.

(3) The department may not refuse to make an award under this section because the victim or the guardian of the victim does not cooperate with a law enforcement agency.
enforcement agency regarding the sex offense, or due to lack of an investigation or prosecution of the sex offense.

949.28 Limitations on awards. (1) No order for the payment of an award under this subchapter may be made unless the application was made within one year after the date of the examination. The department may waive the one-year requirement under this subsection in the interest of justice.

(2) The department may not make an award under this subchapter that exceeds the examination costs of the victim.

(3) The department may not make an award under this subchapter for any part of the examination costs of the victim for which the health care provider seeking the award has received compensation from any other source.

949.31 Hearings. (1) The procedure of ch. 227 for contested cases applies to hearings under this subchapter except as otherwise provided in this section and s. 949.32.

(2) The division of hearings and appeals in the department of administration shall appoint hearing examiners to make findings and orders under s. 227.46 and this subchapter.

(3) All hearings shall be open to the public unless in a particular case the examiner determines that the hearing, or a portion of the hearing, shall be held in private having regard to the fact that the offender has not been convicted or to the interest of the victim.

949.315 Subpoenas. The department or any of its authorized agents may issue subpoenas for persons or records for any investigation or hearing conducted under this subchapter and may enforce compliance with such subpoenas as provided in s. 885.12.
**949.32 Condition of victim.** There is no privilege, except privileges arising from the attorney-client relationship, as to communications or records relevant to an issue of the physical condition of the victim in a proceeding under this subchapter in which that condition is an element.

**949.33 Agency cooperation.** Upon request by the department, any state or local agency, including a district attorney or law enforcement agency, shall make available all reports, files, and other appropriate information which the department requests in order to make a determination that a health care provider is eligible for an award under this subchapter.

**949.36 Confidentiality.** If a health care provider seeks an award under this subchapter, any personally identifiable information, as defined in s. 19.62 (5), of the victim who received the examination shall remain confidential unless written consent for the release of any personally identifiable information is provided by one of the following:

1. Except as provided under sub. (2), the victim.
2. If there is a guardian of the victim, the guardian of the victim.

**949.37 Offenses.** (1) PROHIBITION. In connection with an award under this subchapter, no person may do any of the following:

1. Submit a fraudulent application or claim for an award.
2. Intentionally make or cause to be made any false statement or representation of a material fact.
3. Intentionally conceal or fail to disclose information affecting the amount of or the initial or continued right to any such award when reasonably requested to provide such information by the department.
Penalties. Any person who violates this section shall be fined not more than $500 or imprisoned not more than 6 months or both. The person shall forfeit any benefit received and shall reimburse the state for payments received.

Damages. The state has a civil cause of action for relief against any person who violates this section for the amount of damages that the state sustained by reason of the violation and, in addition, for punitive damages not more than double the amount of damages that the state may have sustained, together with interest, and the cost of the suit.

Action. The attorney general may bring any action and has such powers as may be necessary to enforce this section.

949.38 Report by the department. The department’s biennial report under s. 15.04 (1) (d) shall include a report of its activities under this subchapter including all of the following:

1. An explanation of the procedures for filing and processing claims under this subchapter.

2. A description of the programs and policies instituted to promote awareness about the awards under this subchapter.

3. An analysis of future needs and suggested program improvements.

4. A copy of the forms used under this subchapter.

5. A complete statistical analysis of the cases handled under this subchapter, including all of the following:

   a. The number of claims filed.

   b. The number of claims approved and the amount of each award.

   c. The number of claims denied and the reasons for rejection.

   d. A breakdown of claims by geographic area and month.
**SECTION 3862.** 950.04 (1v) (f) of the statutes is amended to read:

950.04 (1v) (f) To have the parole earned release review commission make a reasonable attempt to notify the victim of applications for parole, release to extended supervision, or termination of extended supervision, as provided under s. 304.06 (1).

**SECTION 3863.** 950.04 (1v) (rm) of the statutes is amended to read:

950.04 (1v) (rm) To compensation, as provided under subch. I of ch. 949.

**SECTION 3864.** 950.08 (2g) (b) of the statutes is amended to read:

950.08 (2g) (b) The availability of compensation under subch. I of ch. 949 and the address and telephone number at which to contact the department for information concerning compensation under subch. I of ch. 949.

**SECTION 3865.** 950.08 (2r) (d) of the statutes is amended to read:

950.08 (2r) (d) The availability of compensation under subch. I of ch. 949, including information concerning eligibility for compensation and the procedure for applying for compensation.

**SECTION 3866.** 961.41 (5) (c) of the statutes, as affected by 2005 Wisconsin Act 25, is amended to read:

961.41 (5) (c) 1. Two-thirds The first $850,000 plus two-thirds of all moneys in excess of $1,275,000 collected in each fiscal year from drug surcharges under this subsection shall be credited to the appropriation account under s. 20.435 (6) (gb).

2. One-third of all All moneys in excess of $850,000 and up to $1,275,000 plus one-third of moneys in excess of $1,275,000 collected in each fiscal year from drug surcharges under this subsection shall be credited to the appropriation account under s. 20.505 (6) (ku).

**SECTION 3869.** 967.06 of the statutes is renumbered 967.06 (1) and amended to read:
967.06 (1) As soon as practicable after a person has been detained or arrested in connection with any offense which is punishable by incarceration, or in connection with any civil commitment proceeding, or in any other situation in which a person is entitled to counsel regardless of ability to pay under the constitution or laws of the United States or this state, the person shall be informed of his or her right to counsel. Persons

(2) (a) Except as provided in par. (b), a person entitled to counsel under sub. (1) who indicate indicates at any time that they wish he or she wants to be represented by a lawyer, and who claim that they are claims that he or she is not able to pay in full for a lawyer’s services, shall immediately be permitted to contact the authority for indigency determinations specified under s. 977.07 (1). The authority for indigency determination in each county shall have daily telephone access to the county jail in order to identify all persons who are being held in the jail. The jail personnel shall provide by phone information requested by the authority.

(3) In any case in which the state public defender provides representation to an indigent person, the public defender may request that the applicable court reporter or clerk of circuit court prepare and transmit any transcript or court record. The request shall be complied with. The state public defender shall, from the appropriation under s. 20.550 (1) (f), compensate the court reporter or clerk of circuit court for the cost of preparing, handling, duplicating, and mailing the documents.

Section 3870. 967.06 (2) (b) of the statutes is created to read:

967.06 (2) (b) If the person indicating that he or she wants to be represented by a lawyer is detained under ch. 48, 51, 55, or 938, the person shall be referred for appointment of counsel as provided under s. 48.23 (4), 51.60, 55.105, or 938.23 (4), whichever is applicable.
SECTION 3871. 971.14 (3) (d) of the statutes is amended to read:

971.14 (3) (d) If the examiner reports that the defendant lacks competency, the examiner’s opinion regarding the likelihood that the defendant, if provided treatment, may be restored to competency within the time period permitted under sub. (5) (a). The examiner shall provide an opinion as to whether the individual’s treatment should occur in an inpatient facility designated by the department of health and family services, or should be conducted in a jail or a locked unit of a facility that has entered into a voluntary agreement with the state to serve as a location for treatment, or as a condition of bail or bond.

SECTION 3872. 971.14 (5) (a) of the statutes is amended to read:

971.14 (5) (a) If the court determines that the defendant is not competent but is likely to become competent within the period specified in this paragraph if provided with appropriate treatment, the court shall suspend the proceedings and commit the defendant to the custody of the department of health and family services for placement in an appropriate institution for the department to determine whether treatment shall occur in an appropriate institution designated by the department, or in a community−based treatment conducted in a jail or a locked unit of a facility that has entered into a voluntary agreement with the state to serve as a location for treatment, or as a condition of bail or bond, for a period of time not to exceed 12 months, or the maximum sentence specified for the most serious offense with which the defendant is charged, whichever is less. Under this subsection, the department of health and family services may commence services to a person in jail but shall, as soon as possible, transfer that person to an institution or provide services to the person in a nonjail setting consistent with this subsection. Days spent in
commitment under this paragraph are considered days spent in custody under s. 973.155.

**SECTION 3873.** 971.14 (5) (b) of the statutes is amended to read:

971.14 (5) (b) The defendant shall be periodically reexamined by the treatment facility department of health and family services examiners. Written reports of examination shall be furnished to the court 3 months after commitment, 6 months after commitment, 9 months after commitment and within 30 days prior to the expiration of commitment. Each report shall indicate either that the defendant has become competent, that the defendant remains incompetent but that attainment of competency is likely within the remaining commitment period, or that the defendant has not made such progress that attainment of competency is likely within the remaining commitment period. Any report indicating such a lack of sufficient progress shall include the examiner’s opinion regarding whether the defendant is mentally ill, alcoholic, drug dependent, developmentally disabled or infirm because of aging or other like incapacities.

**SECTION 3874.** 971.14 (5) (c) of the statutes is amended to read:

971.14 (5) (c) Upon receiving a report under par. (b), indicating the defendant has regained competency or is not competent and unlikely to become competent in the remaining commitment period, the court shall hold a hearing within 14 days of receipt of the report and the court shall proceed under sub. (4). If the court determines that the defendant has become competent, the defendant shall be discharged from commitment and the criminal proceeding shall be resumed. If the court determines that the defendant is making sufficient progress toward becoming competent, the commitment shall continue.

**SECTION 3875.** 971.17 (3) (e) of the statutes is amended to read:
971.17 (3) (e) An order for conditional release places the person in the custody
and control of the department of health and family services. A conditionally released
person is subject to the conditions set by the court and to the rules of the department
of health and family services. Before a person is conditionally released by the court
under this subsection, the court shall so notify the municipal police department and
county sheriff for the area where the person will be residing. The notification
requirement under this paragraph does not apply if a municipal department or
county sheriff submits to the court a written statement waiving the right to be
notified. If the department of health and family services alleges that a released
person has violated any condition or rule, or that the safety of the person or others
requires that conditional release be revoked, he or she may be taken into custody
under the rules of the department. The department of health and family services
shall submit a statement showing probable cause of the detention and a petition to
revoke the order for conditional release to the committing court and the regional
office of the state public defender responsible for handling cases in the county where
the committing court is located within 48 hours after the detention, excluding
Saturdays, Sundays, and legal holidays. The court shall hear the petition within 30
days, unless the hearing or time deadline is waived by the detained person. Pending
the revocation hearing, the department of health and family services may detain the
person in a jail or in a hospital, center or facility specified by s. 51.15 (2). The state
has the burden of proving by clear and convincing evidence that any rule or condition
of release has been violated, or that the safety of the person or others requires that
conditional release be revoked. If the court determines after hearing that any rule
or condition of release has been violated, or that the safety of the person or others
requires that conditional release be revoked, it may revoke the order for conditional
release and order that the released person be placed in an appropriate institution
under s. 51.37 (3) until the expiration of the commitment or until again conditionally
released under this section.

**SECTION 3876.** 971.23 (10) of the statutes is amended to read:

971.23 (10) PAYMENT OF photocopie copies costs in cases involving indigent
defendants. When the state public defender or a private attorney appointed under
s. 977.08 requests photocopie copies, in any format, of any item that is discoverable
under this section, the state public defender shall pay any fee charged for the
photocopie copies from the appropriation under s. 20.550 (1) (f). If the person
providing photocopie copies under this section charges the state public defender a
fee for the photocopie copies, the fee may not exceed the actual, necessary, and direct
cost of photcopying providing the copies.

**SECTION 3877.** 973.01 (4) of the statutes is amended to read:

973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A
person sentenced to a bifurcated sentence under sub. (1) shall serve the term of
confinement in prison portion of the sentence without reduction for good behavior.
The term of confinement in prison portion is subject to extension under s. 302.113 (3)
and, if applicable, to reduction under s. 302.045 (3m), 302.05 (3) (c) 2. a., 302.113 (9g),
304.06 (1) (b), or 973.195 (1r).

**SECTION 3878.** 973.01 (7) of the statutes is amended to read:

973.01 (7) NO DISCHARGE. The department of corrections may not discharge a
person who is serving a bifurcated sentence from custody, control and supervision
until the person has served the entire bifurcated sentence, except as provided in s.
304.06 (1) (b).

**SECTION 3879d.** 973.017 (2) (a) of the statutes is amended to read:
973.017 (2) (a) If the offense is a felony, the sentencing guidelines adopted by the sentencing commission under s. 973.30 or, if the sentencing commission has not adopted a guideline for the offense, any applicable temporary sentencing guideline adopted by the criminal penalties study committee created under 1997 Wisconsin Act 283.

SECTION 3880. 973.045 (1) (intro.) of the statutes is amended to read:

973.045 (1) (intro.) Except as provided in sub. (1m), if a court imposes a sentence or places a person on probation, the court shall impose a crime victim and witness assistance surcharge calculated as follows:

SECTION 3881. 973.045 (1m) of the statutes is repealed and recreated to read:

973.045 (1m) (a) In this subsection, “civil offense” means an offense punishable by a forfeiture.

(b) If all of the following apply, the court shall impose a crime victim and witness assistance surcharge in addition to any forfeiture that it imposes:

1. The person is charged with one or more crimes in a complaint.

2. As a result of the complaint being amended, the person is charged with a civil offense in lieu of one of those crimes.

3. The court finds that the person committed that civil offense on or after the effective date of this subdivision .... [revisor inserts date].

(c) The amount of the surcharge imposed under par. (b) shall be the amount specified in sub. (1) (a) or (b), depending on whether the crime that was the subject of the amendment under par. (b) 2. was a misdemeanor or a felony.

SECTION 3882. 973.045 (1r) (b) of the statutes is created to read:

973.045 (1r) (b) The entire amount of any surcharge imposed under sub. (1m) shall be allocated to part A.
SECTION 3883. 973.045 (2m) of the statutes is created to read:

973.045 (2m) The secretary of administration shall credit part A of the crime victim and witness surcharge to the appropriation account under s. 20.455 (5) (g) and part B to the appropriation account under s. 20.455 (5) (gc).

SECTION 3884. 973.045 (3) (a) of the statutes is renumbered 973.045 (1r) (a), and 973.045 (1r) (a) (intro.), as renumbered, is amended to read:

973.045 (1r) (a) (intro.) The clerk shall record the any crime victim and witness surcharge imposed under sub. (1) in 2 parts. Part A is the portion that the secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) and part B is the portion that the secretary of administration shall credit to the appropriation account under s. 20.455 (5) (gc), as follows:

SECTION 3885. 973.05 (2m) (r) of the statutes is amended to read:

973.05 (2m) (r) To payment of the enforcement surcharge under s. 253.06 49.17 (4) (c) until paid in full.

SECTION 3885m. 973.055 (1) (intro.) of the statutes is amended to read:

973.055 (1) (intro.) If a court imposes a sentence on an adult person or places an adult person on probation, regardless of whether any fine is imposed, the court shall impose a domestic abuse surcharge under ch. 814 of $75 $100 for each offense if:

SECTION 3886. 973.055 (3) of the statutes is amended to read:

973.055 (3) All moneys collected from domestic abuse surcharges shall be deposited by the secretary of administration in s. 20.435 (3) 20.437 (1) (hh) and utilized in accordance with s. 46.95 49.165.

SECTION 3887. 973.09 (1) (b) of the statutes is amended to read:
973.09 (1) (b) If the court places the person on probation, the court shall order
the person to pay restitution under s. 973.20, unless the court finds there is
substantial reason not to order restitution as a condition of probation. If the court
does not require restitution to be paid to a victim, the court shall state its reason on
the record. If the court does require restitution, it shall notify the department of
justice of its decision if the victim may be eligible for compensation under subch. I
of ch. 949.

SECTION 3888. 973.195 (1g) of the statutes is repealed.

SECTION 3889. 973.195 (1r) (a) of the statutes is amended to read:

973.195 (1r) (a) An inmate who is serving a sentence imposed under s. 973.01
for a crime other than a Class B Class C to Class E felony may petition the sentencing
court to adjust the sentence if the inmate has served at least the applicable
percentage 85 percent of the term of confinement in prison portion of the sentence.

If an inmate is subject to more than one sentence imposed under this section, the
sentences shall be treated individually for purposes of sentence adjustment under
this subsection.

SECTION 3890. 973.195 (1r) (d) of the statutes is amended to read:

973.195 (1r) (d) If the sentence for which the inmate seeks adjustment is for
an offense under s. 940.225 (2) or (3), 948.02 (2), 948.08, or 948.085, and the district
attorney does not object to the petition within 10 days of receiving notice under par.
(c), the district attorney shall notify the victim, as defined under s. 950.02 (4), of the
inmate’s petition. The notice to the victim shall include information on the sentence
adjustment petition process under this subsection, including information on how to
object to the inmate’s petition. If the victim objects to adjustment of the inmate’s
sentence within 45 days of the date on which the district attorney received notice
under par. (c), the court shall deny the inmate’s petition.

**SECTION 3891.** 973.20 (9) (a) of the statutes is amended to read:

973.20 (9) (a) If a crime victim is paid an award under subch. I of ch. 949 for
any loss arising out of a criminal act, the state is subrogated to the rights of the victim
to any restitution required by the court. The rights of the state are subordinate to
the claims of victims who have suffered a loss arising out of the offenses or any
transaction which is part of the same continuous scheme of criminal activity.

**SECTION 3892.** 973.20 (9) (b) of the statutes is amended to read:

973.20 (9) (b) When restitution is ordered, the court shall inquire to see if an
award has been made under subch. I of ch. 949 and if the department of justice is
subrogated to the cause of action under s. 949.15. If the restitution ordered is less
than or equal to the award under subch. I of ch. 949, the restitution shall be paid only
to the general fund credited to the appropriation account under s. 20.455 (5) (hh).
If the restitution ordered is greater than the award under subch. I of ch. 949, the
general fund shall receive an amount equal to the award under subch. I of ch. 949
shall be credited to the appropriation account under s. 20.455 (5) (hh) and the balance
shall be paid to the victim.

**SECTION 3893.** 973.30 of the statutes is repealed.

**SECTION 3907.** 974.07 (4) (b) of the statutes is amended to read:

974.07 (4) (b) Notwithstanding the limitation on the disclosure of mailing
addresses from completed information cards submitted by victims under ss. 51.37
(10) (dx), 301.046 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f),
304.063 (4), 938.51 (2), 971.17 (6m) (d), and 980.11 (4), the department of corrections,
the parole earned release review commission, and the department of health and
family services shall, upon request, assist clerks of court in obtaining information regarding the mailing address of victims for the purpose of sending copies of motions and notices of hearings under par. (a).

SECTION 3908. 976.03 (23) (c) of the statutes is amended to read:

976.03 (23) (c) The application shall be verified by affidavit, shall be executed in duplicate and shall be accompanied by 2 certified copies of the indictment returned, or information and affidavit filed, or of the complaint made to a judge, stating the offense with which the accused is charged, or of the judgment of conviction or of the sentence. The prosecuting officer, parole earned release review commission, warden or sheriff may also attach such further affidavits and other documents in duplicate as he, she or it deems proper to be submitted with the application. One copy of the application, with the action of the governor indicated by endorsement thereon, and one of the certified copies of the indictment, complaint, information and affidavits, or of the judgment of conviction or of the sentence shall be filed in the office of the governor to remain of record in that office. The other copies of all papers shall be forwarded with the governor’s requisition.

SECTION 3909. 977.02 (2m) of the statutes is amended to read:

977.02 (2m) Promulgate rules regarding eligibility for legal services under this chapter, including legal services for children persons who are entitled to be represented by counsel without a determination of indigency, as provided in s. 48.23 (4), 51.60, 55.105, or 938.23 (4).

SECTION 3910. 977.02 (3) of the statutes is amended to read:

977.02 (3) Promulgate rules regarding the determination of indigency of persons entitled to be represented by counsel, other than children persons who are entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23,
including the time period in which the determination must be made and the criteria
to be used to determine indigency and partial indigency.

SECTION 3911. 977.05 (4) (gm) of the statutes is amended to read:

977.05 (4) (gm) In accordance with the standards under pars. (h) and (i), accept
referrals from judges and courts for the provision of legal services without a
determination of indigency of children persons who are entitled to be represented by
counsel under s. 48.23, 51.60, 55.105, or 938.23, appoint counsel in accordance with
contracts and policies of the board, and inform the referring judge or court of the
name and address of the specific attorney who has been assigned to the case.

SECTION 3912. 977.05 (4) (h) of the statutes is amended to read:

977.05 (4) (h) Accept requests for legal services from children persons who are
entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23 and
from indigent persons who are entitled to be represented by counsel under s. 967.06
or who are otherwise so entitled under the constitution or laws of the United States
or this state and provide such persons with legal services when, in the discretion of
the state public defender, such provision of legal services is appropriate.

SECTION 3913. 977.05 (4) (i) 8. of the statutes is amended to read:

977.05 (4) (i) 8. Cases involving individuals who are subject to petitions for
protective placement or involuntary administration of psychotropic medication
under ch. 55.

SECTION 3914. 977.06 (2) (a) of the statutes is amended to read:

977.06 (2) (a) A person seeking to have counsel assigned for him or her under
s. 977.08, other than a child person who is entitled to be represented by counsel under
s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that he or she has
not disposed of any assets for the purpose of qualifying for that assignment of
counsel. If the representative or authority making the indigency determination finds that any asset was disposed of for less than its fair market value for the purpose of obtaining that assignment of counsel, the asset shall be counted under s. 977.07 (2) at its fair market value at the time it was disposed of, minus the amount of compensation received for the asset.

**SECTION 3915.** 977.06 (2) (am) of the statutes is amended to read:

977.06 (2) (am) A person seeking to have counsel assigned for him or her under s. 977.08, other than a child person who is entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that the information that he or she has given to determine eligibility for assignment of counsel he or she believes to be true and that he or she is informed that he or she is subject to the penalty under par. (b).

**SECTION 3916.** 977.06 (4) (bm) of the statutes is amended to read:

977.06 (4) (bm) In response to a request for information under s. 49.22 (2m) made by the department of workforce development children and families or a county child support agency under s. 59.53 (5), the state public defender shall provide the name and address of an individual, the name and address of the individual's employer and financial information related to the individual, if the name, address or financial information is included in any statement, affidavit or other information provided by the individual regarding financial eligibility under s. 977.07 and if, at the time the request for information is made, the individual is represented by the state public defender or by counsel assigned under s. 977.08.

**SECTION 3917.** 977.07 (1) (a) of the statutes is amended to read:

977.07 (1) (a) Determination of indigency for persons entitled to counsel shall be made as soon as possible and shall be in accordance with the rules promulgated
by the board under s. 977.02 (3) and the system established under s. 977.06. No
determination of indigency is required for a child person who is entitled to be
represented by counsel under s. 48.23, 51.60, 55.105, or 938.23.

SECTION 3918. 977.07 (1) (c) of the statutes is amended to read:

977.07 (1) (c) For all referrals made under ss. 809.107, 809.30, 974.06 (3) (b)
and 974.07 (11), except a referral of a child person who is entitled to be represented
by counsel under s. 48.23, 51.60, 55.105, or 938.23, a representative of the state
public defender shall determine indigency. For referrals made under ss. 809.107,
809.30 and 974.06 (3) (b), except a referral of a child person who is entitled to be
represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, the representative
of the state public defender may, unless a request for redetermination has been filed
under s. 809.30 (2) (d) or the person's request for representation states that his or her
financial circumstances have materially improved, rely upon a determination of
indigency made for purposes of trial representation under this section.

SECTION 3919. 977.075 (1g) of the statutes is created to read:

977.075 (1g) In this section, “client responsible for payment” means a client of
the state public defender other than a client entitled to legal representation without
a determination of indigency.

SECTION 3920. 977.075 (3) of the statutes is amended to read:

977.075 (3) The board shall establish by rule a fee schedule that sets the
amount that a person, other than a parent subject to s. 48.275 (2) (b) or 938.275 (2)
(b), who is client responsible for payment for legal representation shall pay for the
cost of the legal representation if the person client does not pay the applicable
discount fee under sub. (3m). The schedule shall establish a fee for a given type of
case, and the fee for a given type of case shall be based on the average cost, as
determined by the board, for representation for that type of case.

**SECTION 3921.** 977.075 (3m) of the statutes is amended to read:

977.075 (3m) The board shall establish by rule a fee schedule that sets the
discount amount that a person, other than a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b), who is client responsible for payment for legal representation, may
pay during a time period established by rule instead of paying the applicable fee
under sub. (3). The fee schedule shall establish a discount fee for each type of case
included in the schedule under sub. (3). If a person client responsible for payment
pays the applicable discount fee within the time period established under this
section, the person client may not be held liable for any additional payment for
counsel.

**SECTION 3922.** 977.075 (4) of the statutes is created to read:

977.075 (4) The board shall establish by rule a fee schedule that sets the
maximum amount that a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b) shall pay
as reimbursement for legal services and sets the maximum amount that a person
subject to s. 51.605 or 55.107 shall pay as reimbursement for legal services. The
maximum amounts under this subsection shall be based on the average cost, as
determined by the board, for each applicable type of case.

**SECTION 3923.** 977.08 (1) of the statutes is amended to read:

977.08 (1) If the representative or the authority for indigency determinations
specified under s. 977.07 (1) refers a case to or within the office of the state public
defender or if a case is referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4), the
state public defender shall assign counsel according to subs. (3) and (4). If a
defendant makes a request for change of attorney assignment, the change of attorney
must be approved by the circuit court.

**SECTION 3924.** 977.08 (2) (intro.) of the statutes is amended to read:

977.08 (2) (intro.) All attorneys in a county shall be notified in writing by the
state public defender that a set of lists is being prepared of attorneys willing to
represent children persons referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4)
and indigent clients in the following:

**SECTION 3925.** 977.08 (2) (d) of the statutes is repealed.

**SECTION 3926.** 977.085 (3) of the statutes is amended to read:

977.085 (3) The board shall provide quarterly reports to the joint committee
on finance on the status of reimbursement for or recoupment of payments under ss.
48.275, 51.605, 55.107, 757.66, 938.275, 977.06, 977.07 (2), 977.075 and 977.076,
including the amount of revenue generated by reimbursement and recoupment. The
quarterly reports shall include any alternative means suggested by the board to
improve reimbursement and recoupment procedures and to increase the amount of
revenue generated. The department of justice, district attorneys, circuit courts and
applicable county agencies shall cooperate by providing any necessary information
to the state public defender.

**SECTION 3926p.** 978.01 (2) (b) of the statutes is amended to read:

978.01 (2) (b) A district attorney serves on a part-time basis if his or her
prosecutorial unit consists of Buffalo, Florence, or Pepin, Trempealeau or Vernon
county.

**SECTION 3927.** 978.05 (4m) of the statutes is amended to read:
978.05 (4m) Welfare Fraud Investigations. Cooperate with the departments of workforce development, children and families, and health and family services regarding the fraud investigation programs under ss. 49.197 (1m) and 49.845 (1).

**Section 3928.** 980.036 (10) of the statutes is amended to read:

980.036 (10) Payment of photocopy copying costs in cases involving indigent respondents. When the state public defender or a private attorney appointed under s. 977.08 requests photocopies copies, in any format, of any item that is discoverable under this section, the state public defender shall pay any fee charged for the photocopies copies from the appropriation under s. 20.550 (1) (a). If the person providing photocopies copies under this section charges the state public defender a fee for the photocopies copies, the fee may not exceed the actual, necessary, and direct cost of photocopying providing the copies.

**Section 3929.** 980.08 (9) of the statutes, as created by 2005 Wisconsin Act 431, is renumbered 980.08 (9) (a).

**Section 3930.** 980.08 (9) (b) of the statutes is created to read:

980.08 (9) (b) The department of corrections may contract for the escort services under par. (a).

**Section 3931.** 985.01 (1g) of the statutes is amended to read:

985.01 (1g) “Governing body” has the meaning given in s. 345.05 (1) (b) and includes a family long-term care district board under s. 46.2895.

**Section 3932.** 985.01 (3) of the statutes is amended to read:

985.01 (3) “Municipality” has the meaning in s. 345.05 (1) (c) and includes a family long-term care district under s. 46.2895.

**Section 3934.** 995.67 (1) (a) of the statutes is amended to read:
(a) “Domestic abuse” has the meaning given in s. 46.95 49.165 (1) 1.

SECTION 3934b. 2001 Wisconsin Act 16, section 9107 (13r) is repealed.

SECTION 3935. 2003 Wisconsin Act 33, section 9159 (4f) is repealed.

SECTION 3936. 2005 Wisconsin Act 25, section 9101 (4) (b) and (c) is amended to read:

[2005 Wisconsin Act 25] Section 9101 (4) (b) the secretary The department of administration shall submit a report to the secretary of the building commission containing an inventory of his or her recommendations to offer specified state properties may offer any parcel of state-owned real property for sale under in accordance with section 16.848 of the statutes, as created by this act, if the property is eligible for sale under that section and this subsection. If the department of administration receives an offer to purchase the property, the secretary of administration may submit a report to the secretary of the building commission recommending acceptance of the offer. The report shall contain a description of the property and the reasons therefor. A property may be included in the inventory for the recommendation. The secretary of administration may recommend the sale of a property with or without approval of the state agency having jurisdiction of the property. If, during the period on or before June 30, 2007, or the period beginning on the effective date of this paragraph and ending on June 30, 2009, the building commission votes to approve the sale of any offer to purchase the property included in the inventory, the department of administration may offer sell the property for sale under section 16.848 of the statutes, as created by this act.
(c) This subsection does not apply during the period beginning after June 30, 2007 and ending the day before the effective date of this paragraph, nor during the period after June 30, 2009.

SECTION 3936m. 2005 Wisconsin Act 25, section 9105 (9) is amended to read:

[2005 Wisconsin Act 25] Section 9105 (9) COLUMBIA ST. MARY'S—COLUMBIA CAMPUS. Notwithstanding section 18.04 (1) and (2) of the statutes, no public debt authorized for the acquisition and remodeling of the Columbia campus medical facilities, as enumerated in subsection (1) (h) 1. and 3., may be contracted until after June 30, 2007. Beginning on July 1, 2007 and ending on June 30, 2009, not more than 50 percent of the general fund supported borrowing and 50 percent of the program revenue supported borrowing authorized for the acquisition and remodeling of the Columbia campus medical facilities may be incurred. Beginning on July 1, 2009 and ending on June 30, 2011, the remainder of the general fund supported borrowing and program revenue supported borrowing authorized for the acquisition and remodeling of the Columbia campus medical facilities may be incurred.

SECTION 3937. 2005 Wisconsin Act 25, section 9152 (5) is amended to read:

[2005 Wisconsin Act 25] Section 9152 (5) SALE OF REAL PROPERTY. If the Board of Regents of the University of Wisconsin System sells any real property under its jurisdiction during the period prior to July 1, 2007, and the period beginning on the effective date of this subsection and ending on June 30, 2009, the board shall credit the net proceeds of the sale to the appropriation account under section 20.285 (1) (iz) of the statutes, as affected by this act, except that if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold, the board shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under section 18.09
of the statutes to repay the principal and pay the interest on the debt, and any
premium due upon refunding any of the debt. If the property was acquired,
constructed, or improved with federal financial assistance, the board shall pay to the
federal government any of the net proceeds required by federal law. If the property
was acquired by gift or grant or acquired with gift or grant funds, the board shall
adhere to any restriction governing use of the proceeds.

Section 3938b. 2007 Wisconsin Act 1, section 210 (3) is amended to read:

[2007 Wisconsin Act 1] Section 210 (3) The unencumbered balance in the
appropriation account under section 20.521 (1) (g) of the statutes is transferred to the
appropriation account under section 20.511 (1) (im) of the statutes, as created by
this act 2007 Wisconsin Act .... (Senate Bill 40).

Section 3938c. 2007 Wisconsin Act 1, section 211 (4) is created to read:

[2007 Wisconsin Act 1] Section 211 (4) The treatment of sections 5.05 (11), 7.08
(7), 7.31 (5), 20.510 (intro.) and (1) (title), (a), (b), (bm), (c), (d), (g), (gm), (h), (i), (j),
(q), (t), and (x), 20.511 (1) (h) and (i), and 20.521 (intro.) and (1) (title), (a), (b), (g), (h),
and (i) of the statutes and Section 210 (1) to (4) of this act take effect on the initiation
date specified in Section 209 (1) or on the day after publication of the 2007 biennial
budget act, whichever is earlier.

Section 9101. Nonstatutory provisions; Administration.

(2) Employee transfers to public service commission. On the effective date
of this subsection, all incumbent employees holding positions having responsibility
for administering energy conservation and efficiency and renewable resource
programs under section 16.957 of the statutes, as determined by the secretary of
administration, are transferred to the public service commission. The employees
transferred under this subsection have all the rights and the same status under
subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the public service commission that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(3) **TREATMENT ALTERNATIVES AND DIVERSION GRANT.** By December 1, 2007, the county that has the highest violent crime rate, as reported by the office of justice assistance, shall submit an application to the office of justice assistance for a grant under section 16.964 (12) (b) of the statutes. Upon approval of the county’s grant application, the office of justice assistance shall from the appropriation under section 20.505 (6) (b) of the statutes, as affected by this act, award $375,000 to the county for the calendar year beginning January 1, 2008.

(4) **ASSESS, INFORM, AND MEASURE GRANT.**

(a) By December 1, 2007, the county that has the highest violent crime rate, as reported by the office of justice assistance, shall submit a plan to the office of justice assistance for conducting presentencing assessments for the purpose of providing courts information for sentencing decisions. The plan shall include all of the following components:

1. Identification of a target group of offenders from among persons who are convicted of a Class F, G, H, or I felony or a misdemeanor whom the county shall assess.

2. Assessment of persons in the target group to determine the risk that they will commit further crimes, their needs that are directly related to criminal behavior, the likelihood that they will respond positively to community-based treatment for
the assessed needs, as well as an assessment of the availability of community-based

treatment programs to serve the offenders.

3. Collection and dissemination of information relating to the accuracy of

assessments performed, the value and usefulness of information contained in the

assessment reports for purposes of making sentencing decisions, the effectiveness of

community-based treatment programs in addressing the assessed needs of

offenders, and the effect of the treatment programs with respect to recidivism.

4. Annual evaluation of the plan.

(b) Upon approval of a county plan submitted under paragraph (a), the office

of justice assistance shall from the appropriation under section 20.505 (6) (b) of the

statutes, as affected by this act, award the county $500,000 for the calendar year

beginning January 1, 2009, to perform presentencing assessments of offenders. At

least 50 percent of the assessments performed by a county with funding provided

under this subsection shall be of persons subject to sentencing in connection with a

felony.

(5) YOUTH DIVERSION GRANT REDUCTIONS.

(a) Notwithstanding the amount specified under section 16.964 (8) (a) of the

statutes, as affected by this act, the office of justice assistance in the department of

administration shall reduce the amount of money allocated under section 16.964 (8)

(a) of the statutes, as affected by this act, by $10,000 in each of fiscal years 2007–08

and 2008–09.

(b) Notwithstanding the amounts specified under section 16.964 (8) (c) of the

statutes, as affected by this act, the office of justice assistance in the department of

administration shall reduce the amount of money allocated for each of the 4 contracts

that are funded with moneys from the appropriation accounts under section 20.505
(6) (d) of the statutes, as affected by this act, by $3,000 in each of fiscal years 2007−08 and 2008−09 and shall reduce the amount of money allocated for the contract that is funded only with moneys from the appropriation account under section 20.505 (6) (kj) of the statutes, as affected by this act, by $3,100 in each of fiscal years 2007−08 and 2008−09.

(6f) Mobile data computers for city of Fort Atkinson. From the appropriation account under section 20.505 (6) (p) of the statutes, the office of justice assistance in the department of administration shall provide to the city of Fort Atkinson a grant of $61,400 in fiscal year 2007−08 to purchase mobile data computers for law enforcement vehicles.

(6L) Federal Byrne Justice Assistance Grant funding for multijurisdictional enforcement groups. For the 2007−08 and 2008−09 fiscal years, the department of administration shall allocate to multijurisdictional enforcement groups 44 percent of the federal Byrne Justice Assistance Grant awards appropriated under section 20.505 (6) (p) of the statutes.

(6Lj) Federal Byrne Justice Assistance Grant funding for Wisconsin CASA Association. In each of fiscal years 2007−08 and 2008−09, the office of justice assistance in the department of administration shall distribute $150,000 of the federal Byrne Justice Assistance Grant awards appropriated under section 20.505 (6) (p) of the statutes to the Wisconsin CASA Association for the support, assistance, and development of court−appointed special advocate programs under section 48.07 (5) of the statutes.

(7f) Funding for an emergency generator for the town of Sumner. From the appropriation account under section 20.505 (6) (mb) of the statutes, the office of justice assistance in the department of administration shall provide a grant of
$10,000 in fiscal year 2007–08 to purchase an emergency generator for the town of
Sumner in Jefferson County.

(7h) **Grant for Juvenile Crime Prevention.** Beginning on January 1, 2008,
from the appropriation account under section 20.505 (6) (p) of the statutes, the office
of justice assistance in the department of administration shall provide a 3–year
grant, totaling $112,500 to the Cops–N–Kids Reading Program in the city of Racine.

(7k) **Information Technology Development Assistance to Elections Board and
Government Accountability Board.** The department of administration shall:

(a) Assist the elections board, prior to its termination, or the government
accountability board, thereafter, in the selection of a vendor to complete the board’s
database conversion project.

(b) Designate a staff person to provide to the elections board, prior to its
termination, or the government accountability board, thereafter, quality assurance
for information technology development work completed in connection with
conversion of the board’s campaign finance database.

(7t) **Youth Court Coordinator.** From the appropriation account under section
20.505 (6) (p) of the statutes, the office of justice assistance in the department of
administration shall distribute $58,000 in each of fiscal years 2007–08 and 2008–09
to an entity in Dane County for the employment of a full–time youth court
coordinator to expand the number of youth courts in that county.

(8i) **Written Policies for Information Technology Development Projects.** No
later than January 1, 2008, the department of administration shall submit for review
by the joint legislative audit committee and for approval by the joint committee on
information policy and technology a preliminary draft of the policies required under
section 16.971 (2) (Lg) 1. of the statutes, as created by this act.
(8j) Rules pertaining to large, high-risk information technology projects.

The department of administration shall submit in proper form the rules required under section 16.973 (10) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than June 30, 2008.

(9q) Information technology server consolidation study and supplemental appropriation.

(a) The department of administration may not request the joint committee on finance to supplement, from the appropriation under section 20.865 (4) (g) of the statutes, the appropriation under section 20.505 (1) (kL) of the statutes, as affected by this act, for the purpose of continuing the consolidation of certain executive branch agency information technology functions until all of the following occur:

1. The department of administration completes, in consultation with other executive branch agencies, a study of the ongoing information technology server consolidation project which includes all of the following information:
   a. A revised timeline for completion of server consolidation.
   b. A revised analysis of the costs and benefits of proceeding with the server consolidation project, including a full-cost estimate which identifies the costs associated with leasing the existing space for the server consolidation project, any costs or savings which could be realized by leasing less space for the server consolidation project were the project to be scaled back, the costs of moving the server consolidation project to an alternate location, and the cost of retaining independent servers at executive branch agencies.

2. The department of administration submits the consolidation study required under subdivision 1. for review by the joint committee on finance and the joint committee on information policy and technology or, if the joint committee on
information policy and technology is not organized, the joint legislative audit
committee.

(b) For the purpose under paragraph (a), the joint committee on finance may
not supplement the appropriation under section 20.505 (1) (kL) of the statutes, as
affected by this act, in fiscal year 2007–08, and may not supplement the
appropriation under section 20.505 (1) (kL) of the statutes, as affected by this act, by
more than $2,352,800 in fiscal year 2008–09.

(10q) **Position authorizations; board for people with developmental
disabilities.** There is authorized for the board for people with developmental
disabilities 7.75 FTE FED positions to be funded from the appropriation under
section 20.434 (1) (mc) of the statutes, as created by this act.

**SECTION 9102. Nonstatutory provisions; Aging and Long-Term Care
Board.**

**SECTION 9103. Nonstatutory provisions; Agriculture, Trade and
Consumer Protection.**

(1k) **Prescription drug collection grant rules.** Using the procedure under
section 227.24 of the statutes, the department of agriculture, trade and consumer
protection may promulgate a rule necessary to authorize grants for programs to
collect unwanted prescription drugs under section 93.57 of the statutes, as affected
by this act, for the period before the effective date of the permanent rule necessary
to authorize those grants, but not to exceed the period authorized under section
227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b),
and (3) of the statutes, the department is not required to provide evidence that
promulgating a rule under this subsection as an emergency rule is necessary for the
preservation of the public peace, health, safety, or welfare and is not required to
provide a finding of emergency for a rule promulgated under this subsection.

(2c) **INTERNATIONAL CRANE FOUNDATION FUNDING.** The department of
agriculture, trade and consumer protection shall provide $71,000 in fiscal year
2007–08 and $71,000 in fiscal year 2008–09 from the appropriation under section
20.115 (7) (t) of the statutes, as created by this act, to the International Crane
Foundation for costs associated with a sandhill crane crop depredation project if the
International Crane Foundation provides funding for the project from other sources
equal to at least 70 percent of the amount to be provided under this subsection.

(3i) **EMERGENCY RULES FOR BUY LOCAL, BUY WISCONSIN PROGRAM.** The department
of agriculture, trade and consumer protection may promulgate emergency rules
under section 227.24 of the statutes implementing section 93.48 of the statutes, as
created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
emergency rules promulgated under this subsection remain in effect until the first
day of the 19th month beginning after the effective date of this subsection or the date
on which permanent rules take effect, whichever is sooner. Notwithstanding section
227.24 (1) (a) and (3) of the statutes, the department of agriculture, trade and
consumer protection is not required to provide evidence that promulgating a rule
under this subsection as an emergency rule is necessary for the preservation of public
peace, health, safety, or welfare and is not required to provide a finding of emergency
for a rule promulgated under this subsection.

(4u) **GRANTS FOR SOYBEAN CRUSHING FACILITIES.** During the 2007–09 fiscal
biennium, the department of agriculture, trade and consumer protection shall make
grants from the appropriation under section 20.115 (4) (qm) of the statutes, as
created by this act, for the construction of soybean crushing facilities with the
capacity to process more than 20,000,000 bushels of soybeans per year.

SECTION 9104. Nonstatutory provisions; Arts Board.

(1j) Onetime Grants. From the appropriation account under section 20.215 (1)
(fm) of the statutes, as created by this act, the arts board shall distribute grants as
follows:

(a) Lake Superior Big Top Chautauqua. A grant of $25,000 in fiscal year
2007–08 to the Lake Superior Big Top Chautauqua performing arts center in the
county of Bayfield.

(b) Ko-Thi Dance Company. A grant of $10,000 in fiscal year 2007–08 to the
Ko-Thi Dance Company in the city of Milwaukee.

(c) African American Children’s Theater. A grant of $5,000 in fiscal year
2007–08 to the African American Children’s Theater in the city of Milwaukee.

SECTION 9105. Nonstatutory provisions; Building Commission.

(1) 2007–09 Authorized State Building Program. For the fiscal years
beginning on July 1, 2007, and ending on June 30, 2009, the Authorized State
Building Program is as follows:

(a) Department of Administration

1. Projects financed by existing general fund supported

   borrowing authority:

   Preservation and storage facility — Dane County $ 15,000,000

   (Total project all funding sources $25,000,000)
2. Projects financed by program revenue supported borrowing:

   General Executive Facility 3 renovation — Madison
   Preservation and storage facility — Dane County 10,000,000
   (Total project all funding sources $25,000,000)

   State Transportation Building replacement — Madison 50,000,000

3. Agency totals:

   Existing general fund supported borrowing authority 15,000,000
   Program revenue supported borrowing 65,304,000

   Total — All sources of funds $ 80,304,000

(b) Department of Corrections

1. Projects financed by general fund supported borrowing:

   Kettle Moraine Correctional Institution health services unit $ 4,831,700

   Racine Correctional Institution food preparation building 5,424,800

2. Agency totals:

   General fund supported borrowing 10,256,500
1. **Projects financed by general fund supported borrowing:**

   - WHHI-FM Tower replacement — Highland $1,023,400

2. **Agency totals:**

   - General fund supported borrowing $1,023,400
   - Total — All sources of funds $1,023,400

(d) **Department of Health and Family Services**

1. **Projects financed by general fund supported borrowing:**

   - Sand Ridge Secure Treatment Center 300-bed addition $34,000,000
   - Wisconsin Resource Center 45-bed female treatment unit $11,056,000

2. **Agency totals:**

   - General fund supported borrowing $45,056,000
   - Total — All sources of funds $45,056,000

(e) **Department of Military Affairs**

1. **Projects financed by general fund supported borrowing:**
Armed Forces Reserve Center replacement —

Dane County  $  5,308,600

(Total project all funding sources $38,308,600)

2. Projects financed by federal funds:

Aircraft maintenance hangar remodeling — West Bend  $  749,000

Armed Forces Reserve Center replacement —

Dane County  $  33,000,000

(Total project all funding sources $38,308,600)

Motor vehicle storage buildings — Rice Lake and Wausau  $  1,500,000

3. Agency totals:

General fund supported borrowing  $  5,308,600

Federal funds  $  35,249,000

Total — All sources of funds  $  40,557,600

(f) Department of Natural Resources

1. Projects financed by existing general fund supported borrowing authority — stewardship property development and local assistance funds:

Governor Thompson State Park initial development  $  3,524,900

Hank Aaron State Trail western extension  $  320,000
2. Projects financed by segregated fund supported borrowing:

7. Northern region co-headquarters — Spooner 4,494,600
8. Ranger station replacements — Plover, Prentice, and Tomah 4,122,700
10. Wild Rose State Fish Hatchery renovation —
11. Phase 2.5 6,000,000

(Total project all funding sources $9,000,000)

13. Wilson Nursery expansion — Phase 2 644,900

3. Projects financed by federal funds:

15. Hank Aaron State Trail western extension 1,280,000

(Total project all funding sources $1,600,000)

17. Wild Rose State Fish Hatchery renovation —
18. Phase 2.5 3,000,000

(Total project all funding sources $9,000,000)
Existing general fund supported borrowing
authority — stewardship property development
and local assistance funds 6,190,000

Segregated fund supported borrowing 15,262,200

Federal funds 4,280,000

Total — All sources of funds $25,732,200

(h) State Historical Society

1. Projects financed by general fund supported borrowing:

     Shelving for storage facility — Dane County $3,250,000

2. Agency totals:

     General fund supported borrowing 3,250,000

     Total — All sources of funds $3,250,000

(i) Department of Transportation

1. Projects financed by general fund supported borrowing:

     Division of State Patrol/Educational Communications Board gap filler towers —

     statewide $100,000

     (Total project all funding sources $2,398,900)

2. Projects financed by segregated fund supported borrowing:
1 Division of Motor Vehicles/Department of Natural Resources office renovation — Phase 2 —

2 Wausau 250,000

3 (Total project all funding sources $642,700)

3. Projects financed by segregated fund supported revenue borrowing:

4. Division of Motor Vehicles/Department of Natural Resources office renovation — Phase 2 —

5 Wausau 392,700

6 (Total project all funding sources $642,700)

7 Division of Motor Vehicles service center remodeling — Eau Claire 559,700

8 Division of State Patrol/Educational Communications Board gap filler towers —

9 statewide 1,798,900

10 (Total project all funding sources $2,398,900)

11 Division of State Patrol post remodeling — Fond du Lac 526,200

4. Projects financed by existing segregated fund supported revenue borrowing authority:

12 Division of State Patrol/Educational Communications Board gap filler towers —

13 statewide 500,000
5. **Agency totals:**

   - **General fund supported borrowing**: 100,000
   - **Segregated fund supported borrowing**: 250,000
   - **Segregated fund supported revenue borrowing**: 3,277,500
   - **Existing segregated fund supported revenue borrowing authority**: 500,000

   **Total — All sources of funds**: $4,127,500

(j) **University of Wisconsin System**

1. **Projects financed by general fund supported borrowing:**

   - Green Bay — Rose and Wood halls remodeling: $6,734,000
   - La Crosse — Academic building: 36,950,000

   **(Total project all funding sources $44,000,000)**

   - Madison — School of Human Ecology addition: 22,500,000

   **(Total project all funding sources $47,950,000)**

   - Oshkosh — Academic building: 45,946,000

   **(Total project all funding sources $54,296,000)**

   - — Elmwood Center remodeling and addition or replacement: 8,464,000

   - Parkside — Communications Arts Center: 35,300,000

   **(Total project all funding sources $37,376,000)**
1. Stout — Harvey Hall theater renovation 5,139,000
2. Superior — Academic building 24,143,000
3. (Total project all funding sources $32,343,000)
4. System — Classroom renovation/instructional technology 3,500,000
5. — Utility Improvements — Madison 19,889,000
6. (Total project all funding sources $24,704,000)

2. Projects funded by existing general fund supported borrowing authority:

Stevens Point — Maintenance building remodeling and addition 2,122,000
— Military science building relocation 1,585,000

3. Projects financed by program revenue supported borrowing:

Eau Claire — Davies Center addition and remodeling or replacement 31,406,600

(Total project all funding sources $48,802,000)

Extension — Lowell Hall guest room remodeling
— Madison 3,600,000

La Crosse — Academic building 700,000

(Total project all funding sources $44,000,000)

Madison — Parking ramps 36 and 46 expansion 4,432,000
(Total project all funding sources $7,132,000)

— Chadbourne Residence Hall renovation — Phase 3 and Barnard Residence Hall renovation 14,627,000

— School of Human Ecology addition 2,950,000

(Total project all funding sources $47,950,000)

— Union South replacement 85,700,000

(Total project all funding sources $87,700,000)

— Memorial Union theater wing renovation 0

(Total project all funding sources $0)

Oshkosh — Academic building 350,000

(Total project all funding sources $54,296,000)

— Suite style residence hall 34,000,000

Parkside — Suite style residence hall 17,740,000

Platteville — Williams Field House addition and remodeling 3,727,000

River Falls — George Fields South Forks Residence Hall addition 14,714,000

Stevens Point — Residence halls renovation 19,995,000

— Suite style residence hall 36,205,000

Stout — Price Commons 2nd floor renovation 2,429,000
5. Projects financed by program revenue:

7. La Crosse — Stadium and fields 2,500,000

8. (Total project all funding sources $14,612,000)

9. Madison — Parking ramps 36 and 46 expansion 2,700,000

10. (Total project all funding sources $7,132,000)

11. Stout — Price Commons 2nd floor renovation 650,000

12. (Total project all funding sources $3,079,000)

6. Projects financed by building trust funds:

13. La Crosse — Academic building 350,000

14. (Total project all funding sources $44,000,000)

15. Superior — Academic building 1,200,000

16. (Total project all funding sources $32,343,000)

7. Projects financed by gifts, grants, and other receipts:

17. Eau Claire — Davies Center addition and remodeling or replacement 17,395,400

18. (Total project all funding sources $48,802,000)

19. La Crosse — Academic building 6,000,000
SENATE BILL 1

1. (Total project all funding sources $44,000,000)

2. — Stadium and fields 12,112,000

3. (Total project all funding sources $14,612,000)

4. Madison — Music performance building 43,865,000

5. — School of Human Ecology addition 22,500,000

6. (Total project all funding sources $47,950,000)

7. — Union South replacement 2,000,000

8. (Total project all funding sources $87,700,000)

9. — Memorial Union theater wing renovation 0

10. (Total project all funding sources $0)

11. Oshkosh — Academic building 8,000,000

12. (Total project all funding sources $54,296,000)

13. — Softball stadium 500,000

14. Parkside — Communications Arts Center 2,076,000

15. (Total project all funding sources $37,376,000)

16. Superior — Academic building 7,000,000

17. (Total project all funding sources $32,343,000)

18. Whitewater — Multisport facility — Phase 3 3,474,000

19. 8. Agency totals:

20. General fund supported borrowing 208,565,000
Existing general fund supported borrowing

authority

Program revenue supported borrowing

Program revenue

Building trust funds

Gifts, grants, and other receipts

Total — All sources of funds

(k) Department of Veterans Affairs

1. Projects financed by program revenue supported borrowing:

Wisconsin Veterans Home at King — 45-bed

assisted living facility

(Total project all funding sources $7,540,000)

2. Projects financed by federal funds:

Wisconsin Veterans Home at King — 45-bed

assisted living facility

(Total project all funding sources $7,540,000)

3. Agency totals:

Program revenue supported borrowing

Federal funds

Total — All sources of funds

(L) Hmong Cultural Center
1. Projects financed by general fund supported

   borrowing:

   Hmong cultural center construction or purchase

   — Dane County $ 2,000,000

   (Total project all funding sources $4,500,000)

2. Projects financed by gifts, grants, and other receipts:

   Hmong cultural center construction or purchase

   — Dane County 2,500,000

   (Total project all funding sources $4,500,000)

3. Agency totals:

   General fund supported borrowing 2,000,000

   Gifts, grants, and other receipts 2,500,000

   Total — All sources of funds $4,500,000

(m) Medical College of Wisconsin, Inc.

1. Projects financed by general fund supported

   borrowing:

   Translational research program equipment

   acquisition — Wauwatosa $ 10,000,000

   (Total project all funding sources $12,000,000)

2. Projects financed by federal funds:

   Translational research program equipment

   acquisition — Wauwatosa 2,000,000
1. **Projects financed by general fund supported borrowing:**

   **Bond Health Center expansion — Oconto**
   
   $1,000,000

   (Total project all funding sources $3,000,000)

2. **Projects financed by gifts, grants, and other receipts:**

   **Bond Health Center expansion — Oconto**
   
   $3,000,000

   (Total project all funding sources $4,000,000)

3. **Agency totals:**

   **General fund supported borrowing**
   
   $1,000,000

   **Gifts, grants, and other receipts**
   
   $3,000,000

   (Total project all funding sources $4,000,000)

1. **Projects financed by general fund supported borrowing:**

   **Civil War exhibit**
   
   $500,000

   (Total project all funding sources $2,500,000)
2. Projects financed by gifts, grants, and other receipts:

   Civil War exhibit                                      2,000,000

   (Total project all funding sources $2,500,000)

3. Agency totals:

   General fund supported borrowing                      500,000

   Gifts, grants, and other receipts                     2,000,000

   Total — All sources of funds                         $  2,500,000

(o) All agency project funding

1. Projects financed by general fund supported

   borrowing:

   Capital equipment acquisition                          $  5,000,000

   (Total program all funding sources $7,965,000)

   Facility maintenance and repair                       68,000,000

   (Total program all funding sources $131,719,900)

   Health, safety, and environmental protection          9,000,000

   (Total program all funding sources $12,697,400)

   Land and property acquisition                         3,500,000

   (Total program all funding sources $10,000,000)

   Preventive maintenance                                2,000,000

   (Total program all funding sources $4,000,000)

   Programmatic remodeling and renovation                3,500,000

   (Total program all funding sources $14,480,500)
Utilities repair and renovation 34,000,000

(Total program all funding sources $60,052,000)

2. Projects financed by existing general fund supported borrowing authority — stewardship property development and local assistance funds:

Facilities maintenance and repair 721,900

(Total program all funding sources $131,719,900)

3. Projects financed by program revenue supported borrowing:

Energy conservation 30,000,000

Facilities maintenance and repair 17,568,300

(Total program all funding sources $131,719,900)

Land and property acquisition 5,000,000

(Total program all funding sources $10,000,000)

Health, safety, and environmental protection 870,400

(Total program all funding sources $12,697,400)

Programmatic remodeling and renovation 4,922,000

(Total program all funding sources $14,480,500)

Utilities repair and renovation 2,957,300

(Total program all funding sources $60,052,000)

4. Projects financed by segregated fund supported borrowing:
Facilities maintenance and repair

(Total program all funding sources $131,719,900)

5. Projects financed by segregated fund supported revenue borrowing:

Facilities maintenance and repair

(Total program all funding sources $131,719,900)

6. Projects financed by program revenue:

Capital equipment acquisition

(Total program all funding sources $7,965,000)

Facilities maintenance and repair

(Total program all funding sources $131,719,900)

Health, safety, and environmental protection

(Total program all funding sources $12,697,400)

Programmatic remodeling and renovation

(Total program all funding sources $14,480,500)

Preventive maintenance

(Total program all funding sources $4,000,000)

Utilities repair and renovation

(Total program all funding sources $60,052,000)

7. Projects financed by segregated funds:

Facilities maintenance and repair

(Total program all funding sources $131,719,900)
8. **Building trust funds:**

   Health, safety, and environmental protection  1,000,000

   (Total program all funding sources $12,697,400)

9. **Projects financed by gifts, grants, and other receipts:**

   Capital equipment acquisition  675,000

   (Total program all funding sources $7,965,000)

   Programmatic remodeling and renovation  3,432,000

   (Total program all funding sources $14,480,500)

   Utilities repair and renovation  350,000

   (Total program all funding sources $60,052,000)

10. **Projects financed by federal funds:**

    Facilities maintenance and repair  2,216,400

    (Total program all funding sources $131,719,900)

    Programmatic remodeling and renovation  42,000

    (Total program all funding sources $14,480,500)

    Utilities repair and renovation  100,000

    (Total program all funding sources $60,052,000)

11. **All agency totals:**

    General fund supported borrowing  125,000,000

    Existing general fund supported borrowing

    authority — stewardship property development

    and local assistance funds  721,900
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<td>Segregated fund supported borrowing</td>
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<td>Program revenue</td>
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<td>Segregated funds</td>
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<td>Building trust funds</td>
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<td>7</td>
<td>Gifts, grants, and other receipts</td>
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<td>8</td>
<td>Federal funds</td>
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<td>9</td>
<td>Total — All sources of funds</td>
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**(p) SUMMARY**

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<td>16</td>
<td>and local assistance funds</td>
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<td>Total program revenue supported borrowing</td>
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<td>Total segregated fund supported borrowing</td>
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<td>20</td>
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<td>21</td>
<td>Total existing segregated fund supported revenue</td>
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<td>22</td>
<td>borrowing authority</td>
<td>500,000</td>
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1 Total program revenue 32,894,900
2 Total segregated funds 633,300
3 Total building trust funds 2,550,000
4 Total gifts, grants, and other receipts 148,379,400
5 Total federal funds 48,788,400
6 Total — All sources of funds $1,082,750,000

(2) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing authority enumerated under subsection (1), the building and financing authority enumerated under the previous state building program is continued in the 2007−09 fiscal biennium.

(3) LOANS. During the 2007−09 fiscal biennium, the building commission may make loans from general fund supported borrowing or the building trust fund to state agencies, as defined in section 20.001 (1) of the statutes, for projects that are to be utilized for programs not funded by general purpose revenue and that are authorized under subsection (1).

(4) PROJECT CONTINGENCY FUNDING RESERVE.

(a) During the 2007−09 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (yg) of the statutes for contingency expenses in connection with any project in the Authorized State Building Program.

(b) During the 2007−09 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes for capital equipment acquisition in connection with any project in the Authorized State Building Program.
(5i) **Hmong Cultural Centers.** Notwithstanding section 13.48 (36) (b) of the statutes, as created by this act, the building commission shall not make any grant to an organization for purchase or construction of a Hmong cultural center under section 13.48 (36) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the center. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for any such cultural center. Section 16.87 of the statutes does not apply to any such center.

(6i) **Civil War Exhibit at the Kenosha Public Museums.** Notwithstanding section 13.48 (38) (b) of the statutes, as created by this act, the building commission shall not make a grant to the Kenosha Public Museums for construction of a Civil War exhibit project, as enumerated in subsection (1) (n), under section 13.48 (38) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(7) **Sand Ridge Secure Treatment Center 300-Bed Addition.** Notwithstanding section 18.04 (1) and (2) of the statutes, of the public debt authorized for the Sand Ridge Secure treatment Center 300-bed addition, as enumerated in subsection (1) (d) 1., $12,500,000 in public debt may not be contracted until after June 30, 2009.

(7j) **Bond Health Center.** Notwithstanding section 13.48 (36p) (b) of the statutes, as created by this act, the building commission shall not make a grant to the Bond Health Center for construction costs related to hospital expansion, as enumerated in subsection (1) (mc), under section 13.48 (36p) of the statutes, as
created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(8) **School of Human Ecology.** Notwithstanding section 18.04 (1) and (2) of the statutes, of the public debt authorized for the School of Human Ecology at Madison, as enumerated in subsection (1) (j) 1., $22,500,000 in public debt may not be contracted until after June 30, 2011.

(9) **University of Wisconsin System; Miscellaneous Projects.** Notwithstanding section 18.04 (1) and (2) of the statutes, of the public debt authorized for projects at La Crosse, Oshkosh, Parkside, and Superior, as enumerated in subsection (1) (j) 1., $69,139,000 in public debt may not be contracted until after June 30, 2009.

(9p) **2001–03 State Building Program Deletions.** In 2001 Wisconsin Act 16, section 9107 (1) (p), under projects financed by general fund supported borrowing, the 2001–03 state building program project identified as Discovery Place museum — Racine is deleted and the appropriate totals are decreased accordingly.

(9t) **2005–07 State Building Program Deletions.** In 2005 Wisconsin Act 25, section 9105 (1) (h) 3., under projects financed by program revenue supported borrowing for the University of Wisconsin–Platteville, the 2005–07 state building program project identified as Purchase and remodeling of buildings at 300 W. Highway 151 and 825 Chestnut Street (housing) is deleted and the appropriate totals are decreased accordingly.
SECTION 9106. Nonstatutory provisions; Child Abuse and Neglect Prevention Board.

SECTION 9107. Nonstatutory provisions; Circuit Courts.

(1j) CIRCUIT JUDGE ELECTION. The initial election for circuit judge for branch 8 of the circuit court for Kenosha County shall be at the spring election of 2008 for terms commencing August 1, 2009, and ending July 31, 2015.

(1k) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit courts are increased by 1.0 GPR circuit judge position on August 1, 2009, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional circuit court judge for the circuit court branch created by section 753.06 (2) (a) of the statutes, as affected by this act.

(1l) COURT REPORTER POSITION. The authorized FTE positions for the circuit courts are increased by 1.0 GPR court reporter position on August 1, 2009, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide one court reporter for the circuit court branch created by section 753.06 (2) (a) of the statutes, as affected by this act.

(3g) CIRCUIT COURT BRANCH IN JUNEAU COUNTY. The initial election for circuit judge for branch 2 of the circuit court for Juneau County shall be at the spring election of 2008 for terms commencing August 1, 2008, and ending July 31, 2014.

(3h) CIRCUIT COURT BRANCH IN JUNEAU COUNTY.

(a) The authorized FTE positions for the circuit courts are increased by 1.0 GPR circuit judge position on June 30, 2008, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional circuit court judge for the circuit court branch created by section 753.06 (6) (e) of the statutes, as affected by this act.
(b) The authorized FTE positions for the circuit courts are increased by 1.0 GPR court reporter position on June 30, 2008, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide one court reporter for the circuit court branch created by section 753.06 (6) (e) of the statutes, as affected by this act.

SECTION 9108. Nonstatutory provisions; Commerce.

(1) Budget information; surplus transfer. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 2009–11 biennial budget bill, the department of commerce shall submit a dollar amount for the appropriation under section 20.143 (2) (b) of the statutes as though the amount appropriated to the department of commerce in fiscal year 2008–09 under section 20.143 (2) (b) of the statutes is $2,000,000.

(2c) Construction career academy grant program rules. The department of commerce shall submit in proposed form the rules required under section 101.31 (6) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than December 31, 2007.

(3d) Crex Meadows youth conservation camp grant. The department of commerce shall award a grant of $80,000 in the 2007–09 fiscal biennium from the appropriation under section 20.143 (3) (km) of the statutes, as created by this act, for the Crex Meadows youth conservation camp. The recipient of the grant shall provide $20,000 in matching funds for the grant. The department of commerce shall disburse $40,000 of the grant funds to the recipient when the recipient demonstrates that it has contributed $10,000 in matching funds. The department of commerce shall disburse the remaining $40,000 of the grant funds to the recipient when the recipient demonstrates that it has contributed an additional $10,000 in matching funds.
(4t) Renewable energy grants and loans; position authorization. The authorized FTE positions for the department of commerce are increased by 1.0 SEG position on the effective date of this subsection, to be funded from the appropriation under s. 20.143 (1) (um) of the statutes, as created by this act, for the purpose of administering the renewable energy grant and loan program under s. 560.126 of the statutes, as created by this act.

(4u) Grant to NanoRite facility. Notwithstanding section 560.61 of the statutes, as affected by the act, the department of commerce shall make grants totaling $160,000 in the 2007–09 fiscal biennium from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by the acts of 2007, to the NanoRite facility at Chippewa Valley Technical College. The department of commerce shall enter into an agreement with the NanoRite facility that specifies the uses for the grant proceeds and reporting and auditing requirements.

(4v) Grant for pulp and paper mill. Notwithstanding section 560.126 of the statutes, as created by this act, the department of commerce shall award grants totaling not more than $5,000,000 from the appropriation under section 20.143 (1) (tm) of the statutes, as created by this act, to a paper mill in this state to emerge from bankruptcy, if all of the following apply:

(a) The grant recipient submits a plan to the department of commerce specifying the proposed use of the grant and the secretary of commerce approves the plan.

(b) The department enters into a written agreement with the grant recipient that specifies the conditions for the use of the grant, including reporting and auditing requirements.
(c) The grant recipient agrees in writing to submit to the department, within 6 months after spending the grant proceeds, a report detailing how the grant proceeds were spent.

(5i) **Grant to City of Oshkosh.** In the 2007–09 fiscal biennium, the department of commerce shall make a grant of $25,000 from the appropriation account under section 20.143 (2) (gm) of the statutes, as created by this act, to the city of Oshkosh, for neighborhood improvement and stabilization. The department of commerce shall enter into an agreement with the city of Oshkosh that specifies the uses for the grant proceeds and reporting and auditing requirements.

(5x) **Loans for Pulp and Paper Mill.** Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make 2 loans, each in an amount not to exceed $1,000,000, in the 2007–09 fiscal biennium from the appropriation account under section 20.143 (1) (ie) of the statutes, as affected by this act, to a paper mill in this state to emerge from bankruptcy. The department of commerce shall enter into an agreement with the recipient of the loan under this subsection that specifies the uses for the loan proceeds and reporting and auditing requirements.

(6c) **Grant to City of Green Bay.** Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of $2,800,000 in the 2007–09 fiscal biennium to the city of Green Bay from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, for the Fox River Boardwalk. The department of commerce shall enter into an agreement with the city that specifies the uses for the grant proceeds and reporting and auditing requirements.
(7c) **Grant to City of Mondovi.** Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of $25,000 in the 2007-09 fiscal biennium to the city of Mondovi from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, for a youth center. The department of commerce shall enter into an agreement with the city that specifies the uses for the grant proceeds and reporting and auditing requirements.

(7f) **Grant for Union Training Program.** Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by the acts of 2007, of $125,000 in fiscal 2007-08 and a grant of $125,000 in fiscal 2008-09, to the Painters and Allied Trades District Council 7 for a training program. The department of commerce shall enter into an agreement with the Painters and Allied Trades District Council 7 that specifies the uses for the grant proceeds and reporting and auditing requirements.

(8c) **Grant to City of Stevens Point.** Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of $15,400 in the 2007-08 fiscal year to the city of Stevens Point from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, for economic development. The department of commerce shall enter into an agreement with the city that specifies the uses for the grant proceeds and reporting and auditing requirements.

(8i) **Grant to City of Eau Claire.** Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of $50,000 in the 2007-09 fiscal biennium from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, to the city of Eau Claire
for the renovation of Hobbs Ice Arena. The department of commerce shall enter into
an agreement with the city of Eau Claire that specifies the uses for the grant proceeds
and reporting and auditing requirements.

(9i) GRANT TO VILLAGE OF ASHWKAUBENON. Notwithstanding section 560.61 of the
statutes, as affected by this act, the department of commerce shall make a grant of
$50,000 in the 2007−09 fiscal biennium from the appropriation account under
section 20.143 (1) (c) of the statutes, as affected by this act, to the village of
Ashwaubenon for the construction and maintenance of Cornerstone Ice Arena. The
department of commerce shall enter into an agreement with the village of
Ashwaubenon that specifies the uses for the grant proceeds and reporting and
auditing requirements.

SECTION 9109. Nonstatutory provisions; Corrections.

(1) YOUTH DIVERSION PROGRAM TRANSFER.

(a) Assets and liabilities. On the effective date of this paragraph, the assets and
liabilities of the department of corrections that are primarily related to the youth
diversion from gang activities program under section 301.265, 2005 stats., as
determined by the secretary of administration, shall become the assets and liabilities
of the department of administration.

(b) Positions and employees. On the effective date of this paragraph, all
positions and all incumbent employees holding those positions in the department of
corrections performing duties that are primarily related to the youth division from
gang activities program under section 301.265, 2005 stats., as determined by the
secretary of administration, are transferred to the department of administration.

(c) Employee status. Employees transferred under paragraph (b) have all the
rights and the same status under subchapter V of chapter 111 and chapter 230 of the
statutes, as affected by this act, in the department of administration that they
enjoyed in the department of corrections immediately before the transfer.
Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
has attained permanent status in class is required to serve a probationary period.

(d) Tangible personal property. On the effective date of this paragraph, all
tangible personal property, including records, of the department of corrections that
is primarily related to the youth diversion from gang activities program under
section 301.265, 2005 stats., as determined by the secretary of administration, is
transferred to the department of administration.

(e) Pending matters. Any matter pending with the department of corrections
on the effective date of this paragraph that is primarily related to the youth diversion
from gang activities program under section 301.265, 2005 stats., as determined by
the secretary of administration, is transferred to the department of administration.
All materials submitted to or actions taken by the department of corrections with
respect to the pending matter are considered as having been submitted to or taken
by the department of administration.

(f) Contracts. All contracts entered into by the department of corrections in
effect on the effective date of this paragraph that are primarily related to the youth
diversion from gang activities program under section 301.265, 2005 stats., as
determined by the secretary of administration, remain in effect and are transferred
to the department of administration. The department of administration shall carry
out any obligations under those contracts unless modified or rescinded by the
department of administration to the extent allowed under the contract.

(g) Rules and orders. All rules promulgated by the department of corrections
in effect on the effective date of this paragraph that are primarily related to the youth
diversion from gang activities program under section 301.265, 2005 stats., remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the department of corrections in effect on the effective date of this paragraph that are primarily related to the youth diversion from gang activities program under section 301.265, 2005 stats., remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

(1f) **Effects of Adult Criminal Jurisdiction on 17-Year-Olds.** By March 31, 2008, the department of corrections shall submit to the legislative audit bureau a response to the 2007 legislative audit bureau report regarding the effects of adult criminal jurisdiction on 17-year-olds. The legislative audit bureau shall file a copy of the response under this subsection with the distributees specified in section 13.94 (1) (b) of the statutes.

(2) **Funding for Certain Community Reintegration Services.** From the appropriation under section 20.410 (1) (d) of the statutes, the department of corrections shall provide $500,000 during the 2007–08 fiscal year and $500,000 during the 2008–09 fiscal year to New Hope Project, Inc., for transitional employment services.

(2k) **Treatment Alternatives and Diversion Program.** By May 1, 2008, the department of corrections shall submit a report to the joint committee on finance on the impact of the program administered under s. 16.964 (12) of the statutes on the department of correction’s 2009–11 biennial budget. The department of corrections shall evaluate the impact of increased community treatment and diversion programs for nonviolent offenders on the department’s institutional and community corrections population, and on the department’s costs of operation.
(3j) Report on overcrowding in the Prairie du Chien Correctional Institution. The department of corrections shall evaluate the current capacity and usage of the segregation unit at the Prairie du Chien Correctional Institution and shall, by July 1, 2008, submit a report to the joint committee on finance that includes its findings and addresses the issue of overcrowding in the segregation unit.

SECTION 9110. Nonstatutory provisions; Court of Appeals.

SECTION 9111. Nonstatutory provisions; District Attorneys.

(1L) Prosecution of drug crimes; Milwaukee County. From the appropriation account under section 20.505 (6) (p) of the statutes, the department of administration, and from the appropriation account under section 20.455 (2) (kp) of the statutes, the department of justice, shall expend $143,000 in fiscal year 2007–08 and $157,600 in fiscal year 2008–09 to provide the multijurisdictional enforcement group serving Milwaukee County with funding for 2.0 assistant district attorney positions to prosecute criminal violations of chapter 961 of the statutes. The department of administration shall determine the amounts to be expended from each appropriation account for each fiscal year.

(2L) Prosecution of drug crimes; Dane County. From the appropriation account under section 20.505 (6) (p) of the statutes, the department of administration, and from the appropriation account under section 20.455 (2) (kp) of the statutes, the department of justice, shall expend $60,000 in fiscal year 2007–08 and $65,900 in fiscal year 2008–09 to provide the multijurisdictional enforcement group serving Dane County with funding for 0.75 assistant district attorney position to prosecute criminal violations of chapter 961 of the statutes. The department of administration shall determine the amounts to be expended from each appropriation account for each fiscal year.
(3L) Prosecution of Drug Crimes; St. Croix County. From the appropriation account under section 20.455 (2) (kp) of the statutes the department of justice shall expend $84,500 in fiscal year 2007–08 and $94,600 in fiscal year 2008–09 to provide the multijurisdictional enforcement group serving St. Croix County with funding for 1.0 assistant district attorney position to prosecute criminal violations of chapter 961 of the statutes.

SECTION 9112. Nonstatutory provisions; Educational Communications Board.

SECTION 9114. Nonstatutory provisions; Employee Trust Funds.

(1c) Reengineering Information Technology Systems.

(a) The department of employee trust funds shall provide to the joint committee on finance copies of all materials submitted to the department of administration that relate to the release of moneys from unallotted reserve, during the 2007–09 fiscal biennium, for reengineering information technology systems of the department of employee trust funds.

(b) The joint committee on finance may supplement, from the appropriation under section 20.865 (4) (u) of the statutes, the appropriation under section 20.515 (1) (t) of the statutes for the purpose of implementing a redesigned lump-sum payment system if all of the following occur:

1. The department of employee trust funds submits a report to the joint committee on finance on its plan to implement the redesigned lump-sum payment system. The report shall specify how the plan conforms to information technology projects planning and monitoring standards developed by the department of administration and submitted to the joint legislative audit committee in response to legislative audit bureau report 07–5, entitled “Information Technology Projects.”
2. The department of employee trust funds submits a request to the joint committee on finance to supplement the appropriation under section 20.515 (1) (t) of the statutes for implementation of a redesigned lump-sum payment system.

3. The cochairpersons of the joint committee on finance do not notify the department of employee trust funds that the committee has scheduled a meeting for the purpose of reviewing the request within 14 working days after the date of the receipt of the request. If, within 14 working days after the date of the receipt of the request, however, the cochairpersons of the committee notify the department of employee trust funds that the committee has scheduled a meeting for the purpose of reviewing the proposed supplement, the supplement may occur only upon approval of the committee.

(c) During the 2007–09 fiscal biennium, the department of employee trust funds shall submit a report to the joint committee on finance on its plan for implementing an integrated health insurance enrollment, eligibility, and processing system. The report shall specify all of the following:

1. The costs for each fiscal year in which implementation work is to be performed, including specifically potential costs for the 2009–11 fiscal biennium.

2. How the implementation plan conforms to information technology projects planning and monitoring standards developed by the department of administration and submitted to the joint legislative audit committee in response to legislative audit bureau report 07–5, entitled “Information Technology Projects.”

3. How the internal resources of the department of employee trust funds will be used in the implementation work of the integrated health insurance enrollment, eligibility, and processing system and in the implementation work associated with
the lump-sum payment system to ensure timely and successful completion of both projects.

(2w) **Payment of health insurance premiums for employees of the Health Insurance Risk-Sharing Plan Authority.** Notwithstanding section 40.05 (4) (a) 2. of the statutes, as affected by this act, for an insured employee, as defined in section 40.02 (39) of the statutes, who is employed by the Health Insurance Risk-Sharing Plan Authority on the effective date of this subsection, the employer shall pay required employer contributions toward the health insurance premium beginning on the date on which the employee becomes insured.

**Section 9114.** Senate Bill 1

**Section 9115.** Nonstatutory provisions; Employment Relations Commission.

**Section 9117.** Nonstatutory provisions; Financial Institutions.

**Section 9118.** Nonstatutory provisions; Fox River Navigational System Authority.

**Section 9118m.** Nonstatutory provisions; Government Accountability Board.

(1k) **Reports on proposed per diem payments.** The government accountability board shall report to the cochairpersons of the joint committee on finance in fiscal year 2007–08 and in fiscal year 2008–09 concerning the need for funding of the board’s proposed per diem payments to board members and to the chairperson of the board or the chairperson’s designee in that fiscal year.

(1u) **Use of appropriations to government accountability board; deposit and crediting of revenues.** Notwithstanding section 20.511 of the statutes, as affected by this act, if the elections board and the ethics board remain constituted and vested with authority on the effective date of this subsection, the elections board and the
ethics board may, for so long as the boards remain so constituted and vested, encumber or expend moneys from any appropriation made to the government accountability board for the 2007-09 fiscal biennium, consistently with the purposes of that appropriation. The elections board and the ethics board, for so long as the boards remain constituted and vested with authority, shall deposit into the appropriate fund or credit to the appropriate appropriation account for any appropriation made to the government accountability board all revenues received by the respective boards, consistently with the purposes for which those revenues are directed by law to be deposited or credited by the government accountability board. However, neither board may encumber or expend moneys under this subsection in an amount greater than the amount that would be authorized for a state agency under section 20.002 (1) of the statutes, as determined by the department of administration, during a fiscal year for which the biennial budget has not been enacted at the time that an encumbrance or expenditure is made.

SECTION 9119. Nonstatutory provisions; Governor.

SECTION 9120. Nonstatutory provisions; Health and Educational Facilities Authority.


(1) Bed assessment for intermediate care facilities for the mentally retarded. Notwithstanding section 50.14 (2m) of the statutes, as created by this act, the department of health and family services is not required to calculate the amount of the bed assessment for intermediate care facilities for the mentally retarded under section 50.14 (2) (bm) of the statutes, as created by this act, for state fiscal year 2007-08 until October 1, 2007, or the first day of the 3rd month beginning after the effective date of this subsection, whichever is later.
(1t) **Indian Child High-Cost Out-Of-Home Care Placement Funding.** From the appropriation account under section 20.435 (3) (kz) of the statutes, in fiscal year 2007-08 the department of health and family services may expend not more than $500,000 in moneys transferred from the appropriation account under section 20.505 (8) (hm) 21. of the statutes, as created by this act, for unexpected or unusually high-cost out-of-home care placements of Indian children by tribal courts.

(5) **Transfer to the Department of Children and Families.**

(a) **Assets and liabilities.** On the effective date of this paragraph, the assets and liabilities of the department of health and family services that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of children and families.

(b) **Employee transfers.**

1. The classified positions, and incumbent employees holding positions, in the department of health and family services relating primarily to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the
secretary of administration, are transferred to the department of children and families.

2. The classified positions, and incumbent employees holding positions, in the department of health and family services relating primarily to general administration and program support that the secretary of administration determines should be transferred to the department of children and families are transferred to that department. Upon determination of these employees, the secretary of health and family services shall, by January 1, 2008, and in conjunction with the secretary of workforce development, submit a plan to the secretary of administration requesting the transfer of moneys between the general purpose revenue appropriations for the departments of health and family services and workforce development and the department of children and families, between the program revenue appropriations for the departments of health and family services and workforce development and the department of children and families, between the program revenue-service appropriations for the departments of health and family services and workforce development and the department of children and families, between the appropriations of given segregated funds for the departments of health and family services and workforce development and the department of children and families, and between the federal revenue appropriations for the departments of health and family services and workforce development and the department of children and families, if necessary to adjust previously allocated costs in accordance with the transfer of personnel.

(c) Employee status. Employees transferred under paragraph (b) shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of children and families that they
enjoyed in the department of health and family services immediately before the
transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so
transferred who has attained permanent status in class is required to serve a
probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all
tangible personal property, including records, of the department of health and family
services that is primarily related to the functions of the division of children and
family services in that department, to the child abuse and neglect prevention
program under section 46.515, 2005 stats., to the food distribution and hunger
prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and
section 46.77, 2005 stats., and to the state supplemental food program under section
253.06, 2005 stats., as determined by the secretary of administration, shall be
 transferred to the department of children and families.

(e) *Contracts.* All contracts entered into by the department of health and family
services in effect on the effective date of this paragraph that are primarily related
to the functions of the division of children and family services in that department,
to the child abuse and neglect prevention program under section 46.515, 2005 stats.,
to the food distribution and hunger prevention programs under section 46.75, 2005
stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state
supplemental food program under section 253.06, 2005 stats., as determined by the
secretary of administration, remain in effect and are transferred to the department
of children and families. The department of children and families shall carry out any
such contractual obligations unless modified or rescinded by the department of
children and families to the extent allowed under the contract.
(em) **Pending matters.** Any matter pending with the department of health and family services on the effective date of this paragraph that is primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, is transferred to the department of children and families and all materials submitted to or actions taken by the department of health and family services with respect to the pending matter are considered as having been submitted to or taken by the department of children and families.

(f) **Rules and orders.** All rules promulgated by the department of health and family services that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of children and families. All orders issued by the department of health and family services that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats.,
and to the state supplemental food program under section 253.06, 2005 stats., as
determined by the secretary of administration, and that are in effect on the effective
date of this paragraph remain in effect until their specified expiration dates or until
modified or rescinded by the department of children and families.

(6) AGENCY NAME CHANGE.

(a) Wherever the term “health and family services” appears in the statutes, as
affected by the acts of 2007, the term “health services” is substituted.

(b) Beginning on July 1, 2008, the department of health services has the powers
and duties granted or assigned the department of health and family services by
S ECTIONS 9101 to 9155 of this act that do not terminate before paragraph (a) takes
effect. Beginning on July 1, 2008, the secretary of health services has the powers and
duties granted or assigned the secretary of health and family services by S ECTIONS
9101 to 9155 of this act that do not terminate before paragraph (a) takes effect.

(6d) REDUCING FETAL AND INFANT MORTALITY AND MORBIDITY.

(a) In this subsection, “infant” means a child from birth to 12 months of age.

(b) In a county with a population of at least 190,000 but less than 230,000, from
the appropriation under section 20.435 (5) (eu) of the statues, as created by this act,
the department of health and family services shall distribute $250,000 in each of
state fiscal years 2007–08 and 2008–09 to the city health department to provide a
program of services to reduce fetal and infant mortality and morbidity.

(c) Notwithstanding section 251.08 of the statutes, in implementing the
program under paragraph (b), the city health department shall, directly or by
contract, do all of the following in or on behalf of areas of the county that are
encompassed by the zip codes 53402 to 53406 and that are at risk for high fetal and
infant mortality and morbidity, as determined by the department of health and family services:

1. Collaborate with faculty in the health disciplines of an academic institution and with a hospital that serves significant populations at high risk for poor birth outcomes, including low birth weights, prematurity, and gestational diabetes, to identify and implement best practices and evidence-based practices to reduce fetal and infant mortality and morbidity.

2. Identify necessary preconception, prenatal, and postnatal services and assess the availability of these services for women in the areas who lack insurance coverage or who are recipients of the Medical Assistance program or the Badger Care health care program.

3. Develop and implement models of care for all women in the areas who meet risk criteria, as specified by the department of health and family services, and provide comprehensive prenatal and postnatal care coordination and other services, including home visits, by registered nurses who are public health nurses or who meet the qualifications of public health nurses, as specified in section 250.06 (1) of the statutes, or by social workers, as defined in section 252.15 (1) (er) of the statutes.

4. Conduct social marketing, including outreach, assuring health care access, public awareness programs, community health education programs, and other best practices and evidence-based practices, to reduce fetal and infant mortality and morbidity.

5. Evaluate the quality and effectiveness of the services provided under subdivisions 3. and 4.

(d) In 2008 and 2009, the city health department shall prepare a report on fetal and infant mortality and morbidity in areas of the county that are encompassed by
the zip codes 53402 to 53406. The report shall be derived, at least in part, from a multidisciplinary review of all fetal and infant deaths in the relevant year and shall specify causation found for the mortality and morbidity. The city health department shall submit the report to all of the following:

1. The city of Racine.
2. The department of health and family services.
3. The legislature, in the manner provided under section 13.172 (3) of the statutes.
4. The governor.

(7j) Medical assistance pharmacy dispensing fee.

(a) In this subsection, “public assistance programs” means medical assistance, as defined in section 49.43 (8) of the statutes, and the programs under sections 49.665 and 49.688 of the statutes, as affected by this act.

(b) The department of health and family services shall determine the amount by which reimbursement to pharmacies for multisource generic drug products under public assistance programs will be reduced as a result of implementation of average manufacturing price reimbursement standards in accordance with the federal Deficit Reduction Act of 2005, and shall determine the amount by which the pharmacy dispensing fee under public assistance programs must be increased to compensate for that reduction in reimbursement.

(c) The department of health and family services shall submit to the U.S. department of health and human services an amendment to the state plan for medical assistance that authorizes the department of health and family services to increase the pharmacy dispensing fee under public assistance programs by the amount determined under paragraph (b), and, if the U.S. department of health and
human services approves the amendment, shall increase the dispensing fee upon
approval.

(7k) Report on Food Stamp Employment and Training Program Participation.
The department of health and family services shall submit to the joint committee on
finance, no later than January 1, 2009, a report that compares participation in the
food stamp employment and training program after participation becomes voluntary
with participation in the program before participation became voluntary.

(7L) Smoking Cessation Program. The department of health and family
services shall create, and, by the first day of the 7th month beginning after the
effective date of this subsection, implement an incentive-based smoking cessation
program for medical assistance recipients. The program shall incorporate elements
of existing smoking cessation programs administered by the state. The emphasis of
the program shall be to have medical assistance recipients stop smoking as soon as
possible. The department of health and family services may enter into an agreement
with another person to create or administer the program.

(7p) Report on Purchase of Drugs for HIV/AIDS.

(a) The department of health and family services shall determine the feasibility
of modifying the pilot program under section 49.686 (6) of the statutes, as created by
this act, in the following manner:

1. The cost of drugs for individuals in the pilot program and for which
reimbursement may be provided under section 49.686 (2) of the statutes would
continue to be paid for under the program under section 49.686 (1) to (5) of the
statutes.
2. The Health Insurance Risk-Sharing Plan would reimburse the program under section 49.686 (1) to (5) of the statutes for the drug costs paid by that program under subdivision 1.

(b) No later than January 1, 2008, the department shall submit a report with its conclusions to the Joint Committee on Finance.

(8k) DENTAL ACCESS FUNDING. From the net savings projected to result from the implementation of the BadgerCare Plus program under section 49.471 of the statutes, as created by this act, the department of health and family services shall provide $200,000 in fiscal year 2007–08 to the Peter Christensen Health Center and $200,000 in fiscal year 2007–08 to the Lake Superior Community Health Center to increase access to dental services under the related initiatives that are to be funded from those projected net savings.

(8x) CLINIC GRANT FOR DENTAL SERVICES. From the appropriation under section 20.435 (5) (dm) of the statutes, as affected by this act, the department of health and family services shall provide $17,500 in fiscal year 2007–08 and $17,500 in fiscal year 2008–09 to the Community Connections Free Clinic in Dodgeville to provide dental services to low-income residents of Iowa County and surrounding areas.

(9f) STATE CENTERS FOR THE DEVELOPMENTALLY DISABLED. The authorized FTE positions for the department of health and family services are increased by 6.64 PR positions on July 1, 2007, to be funded from the appropriation account under section 20.435 (2) (gk) of the statutes, for the purpose of performing services at the state centers for the developmentally disabled.

(9g) HOSPITAL ASSESSMENT REPORT. By December 31, 2008, and December 31, 2009, and December 31, 2010, the department of health and family services shall
report to the joint committee on finance of the legislature all of the following
information for the immediately previous state fiscal year:

(a) The total amount of assessments collected under section 50.375 of the
statutes, as created by this act.

(b) The total amount of assessments collected from each hospital under section
50.375 of the statutes, as created by this act.

(c) The total amounts that the department of health and family services
determines were paid under section 49.45 (58) of the statutes, as created by this act,
to health maintenance organizations as increased Medical Assistance payments to
hospitals.

(d) The total amount of periodic interim payments made to each hospital by
health maintenance organizations under section 49.45 (58) of the statutes, as created
by this act.

(e) The total amount of Medical Assistance payments made to each hospital and
the portion of the Medical Assistance capitated payments made to health
maintenance organizations for inpatient and outpatient hospital services from
appropriation accounts of general purpose revenues.

(f) The total amounts obtained under paragraphs (c) and (e).

(g) The results of any audits conducted by the department of health and family
services under section 49.45 (58) of the statutes, as created by this act, concerning
Medical Assistance payments and any actions taken by the department as a result
of such an audit.

(9h) **State plan amendment request.** The department of health and family
services shall submit to the Centers for Medicare and Medicaid Services a request
to amend the Medical Assistance state plan that is in effect on July 1, 2009, in order
to use the Medical Assistance reimbursement methodology for payment to hospitals
that was used prior to use of the Medical Assistance reimbursement methodology
used during implementation of the assessment under section 50.375 of the statutes,
as created by this act.

(9i) TRANSFER AND RENAMING OF COUNCIL ON DEVELOPMENTAL DISABILITIES.

(a) Assets and liabilities. On the effective date of this paragraph, the assets and
liabilities of the department of health and family services primarily related to the
council on developmental disabilities, as determined by the secretary of
administration, shall become the assets and liabilities of the board for people with
developmental disabilities.

(b) Employee transfers. All incumbent employees holding positions in the
department of health and family services performing duties primarily related to the
functions of the council on developmental disabilities, as determined by the secretary
of administration, are transferred on the effective date of this paragraph to the board
for people with developmental disabilities.

(c) Employee status. Employees transferred under paragraph (b) have all the
rights and the same status under subchapter V of chapter 111 and under chapter 230
of the statutes, as affected by this act, in the board for people with developmental
disabilities that they enjoyed in the department of health and family services
immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
no employee so transferred who has attained permanent status in class is required
to serve a probationary period.

(d) Tangible personal property. On the effective date of this paragraph, all
tangible personal property, including records, of the department of health and family
services that is primarily related to the functions of the council on developmental
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disabilities, as determined by the secretary of administration, is transferred to the board for people with developmental disabilities.

(e) Contracts. All contracts entered into by the department of health and family services in effect on the effective date of this paragraph that are primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, remain in effect and are transferred to the board for people with developmental disabilities. The board for people with developmental disabilities shall carry out any obligations under such a contract until the contract is modified or rescinded by the board to the extent allowed under the contract.

(em) Pending matters. Any matter pending with the department of health and family services on the effective date of this paragraph that is primarily related to the council on developmental disabilities, as determined by the secretary of administration, is transferred to the board for people with developmental disabilities and all materials submitted to or actions taken by the department of health and family services with respect to the pending matter are considered as having been submitted to or taken by the board.

(9p) Grant for HIV Infection Services. From the appropriation account under section 20.435 (5) (ma) of the statutes the department of health and family services shall provide to the Black Health Coalition of Wisconsin, Inc., $100,000 in state fiscal year 2007–08 as a one-time grant to provide HIV infection outreach, education, referral, and other services.

(9u) Dane County Early Childhood Initiatives. From the appropriation account under section 20.435 (3) (bc) of the statutes, as affected by section 341x of this act, the department of health and family services shall distribute $250,000 in fiscal year 2007–08 for comprehensive early childhood initiatives in Dane County that
provide home visiting and employment preparation and support for low-income families.

SECTION 9121. Nonstatutory provisions; Higher Educational Aids Board.

(1) WISCONSIN COVENANT SCHOLARS PROGRAM.

(a) Rules. The higher educational aids board shall submit in proposed form the rules required under section 39.437 (5) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 18th month beginning after the effective date of this paragraph.

(b) Emergency rules. Using the procedure under section 227.24 of the statutes, the higher educational aids board may promulgate the rules required under section 39.437 (5) of the statutes, as created by this act, for the period before the effective date of the permanent rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the higher educational aids board is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

SECTION 9123. Nonstatutory provisions; Historical Society.

SECTION 9124. Nonstatutory provisions; Housing and Economic Development Authority.

SECTION 9125. Nonstatutory provisions; Insurance.

SECTION 9126. Nonstatutory provisions; Investment Board.
(1f) OPERATING EXPENDITURES. Notwithstanding section 25.187 (2) (c) 1. of the statutes, as affected by this act, the total amount that the investment board may assess the funds for which the board has management responsibility during the 2007–08 fiscal year may not exceed the greater of the amount that the board could have assessed the funds during the 2006–07 fiscal year or 0.0285 percent of the average market value of the assets of the funds at the end of each month between November 30 and April 30 of the 2006–07 fiscal year.

(1h) INITIATIVES REPORTS.

(a) During the 2008–09 fiscal year, on or before January 31, 2009, the investment board shall submit a report to the joint legislative audit committee and the joint committee on finance on the implementation and outcomes of initiatives commenced as a result of the changes in expenditure authority under section 25.187 (2) (c) 1. of the statutes, as affected by this act.

(b) During the 2009–10 fiscal year, on or before January 31, 2010, the investment board shall submit a report to the joint legislative audit committee and the joint committee on finance on the implementation and outcomes of initiatives commenced as a result of the changes in expenditure authority under section 25.187 (2) (c) 1. of the statutes, as affected by this act.

SECTION 9127. Nonstatutory provisions; Joint Committee on Finance.

SECTION 9128. Nonstatutory provisions; Judicial Commission.

SECTION 9129. Nonstatutory provisions; Justice.

(1f) DISTRICT ATTORNEY POSITION; ST. CROIX COUNTY. From the appropriation account under section 20.455 (2) (n) of the statutes, the department of justice shall expend $32,400 in fiscal year 2007–08 and $64,800 in fiscal year 2008–09 to provide 1.0 assistant district attorney position in St. Croix County.
(1h) District attorney position; Chippewa County. From the appropriation account under section 20.455 (2) (n) of the statutes, the department of justice shall expend $16,700 in fiscal year 2007–08 and $16,700 in fiscal year 2008–09 to provide .25 assistant district attorney position in Chippewa County.

SECTION 9130. Nonstatutory provisions; Legislature.

(1d) Joint survey committee on retirement systems; actuarial opinion of 2007 Senate Bill 19 or 2007 Assembly Bill 43. The cochairpersons of the joint survey committee on retirement systems, pursuant to the powers granted the cochairpersons under section 13.50 (6) (am) of the statutes, are requested to order, during the 2007–08 fiscal year, an actuarial opinion on the impact of 2007 Senate Bill 19 or 2007 Assembly Bill 43, and any pending amendments, on the costs, actuarial balance, or goals of the Wisconsin Retirement System.

(1f) Elimination of revisor of statutes bureau.

(a) On December 31, 2007, all assets and liabilities of the revisor of statutes bureau shall become the assets and liabilities of the legislative reference bureau.

(b) On December 31, 2007, all tangible personal property, including records, of the revisor of statutes bureau is transferred to the legislative reference bureau.

(c) On December 31, 2007, all contracts entered into by the revisor of statutes bureau, which are in effect on December 31, 2007, remain in effect and are transferred to the legislative reference bureau. The legislative reference bureau shall carry out any such contractual obligations until modified or rescinded by the legislative reference bureau to the extent allowed under the contract.

(d) 1. If requested by any person who holds an attorney position at the revisor of statutes bureau, the chief of the legislative reference bureau shall interview the person to fill an attorney position at the legislative reference bureau. The chief of
the legislative reference bureau shall offer employment at the legislative reference
bureau, beginning on or before December 31, 2007, to one person who holds an
attorney position at the revisor of statutes bureau.

2. If requested by any person who holds a publications editor position at the
revisor of statutes bureau, the chief of the legislative reference bureau shall
interview the person to fill a publications editor position at the legislative reference
bureau. The chief of the legislative reference bureau shall offer employment at the
legislative reference bureau, beginning on or before December 31, 2007, to one
person who holds a publications editor position at the revisor of statutes bureau.

(2c) CREATION OF DEPARTMENT OF CHILDREN AND FAMILIES.

(a) Advisory role of special committee on strengthening Wisconsin’s families.
The special committee on strengthening Wisconsin’s families under section 13.83 (4),
2005 stats., shall advise the secretaries of administration, health and family
services, and workforce development in planning and implementing the creation of
the department of children and families.

(b) Certain missions unaltered. The creation of the department of children and
families and the merging in that department of the child welfare programs
administered by the department of health and family services under chapter 46,
2005 stats., and chapter 48, 2005 stats., and of the Wisconsin Works program
administered by the department of workforce development under subchapter III of
chapter 49, 2005 stats., does not alter the missions of those programs.

(4v) LEGISLATIVE APPROPRIATION LAPSES AND REESTIMATES.

(a) In this subsection, “state operations” means all purposes except aids to
individuals and organizations and local assistance.
(b) The cochairpersons of the joint committee on legislative organization shall take actions during the 2007–09 fiscal biennium to ensure that from general purpose revenue appropriations for state operations to the legislature under section 20.765 of the statutes, as affected by this act, an amount equal to a total of $3,561,000 in fiscal year 2007–08 and a total of $2,744,600 in fiscal year 2008–09 are lapsed from sum certain appropriation accounts or are subtracted from the expenditure estimates for any other types of appropriations, or both.

SECTION 9131. Nonstatutory provisions; Lieutenant Governor.

SECTION 9132. Nonstatutory provisions; Lower Wisconsin State Riverway Board.

SECTION 9133. Nonstatutory provisions; Medical College of Wisconsin.

SECTION 9134. Nonstatutory provisions; Military Affairs.

SECTION 9135. Nonstatutory provisions; Natural Resources.

(1) MANAGED FOREST LAND BOARD. Notwithstanding section 15.345 (6) of the statutes, as created by this act, 2 of the initial members of the managed forest land board appointed under section 15.345 (6) (a) to (d) of the statutes, as created by this act, shall serve for terms expiring on May 1, 2009, and 2 of those initial members shall serve for terms expiring on May 1, 2011.

(1f) RULES FOR CONTAMINATED SEDIMENT PROGRAM. Using the procedure under section 227.24 of the statutes, the department of natural resources may promulgate the rule required under section 292.68 (11) of the statutes, as created by this act, for the period before the effective date of the permanent rule under that provision, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection
as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(1i) Grant to Chippewa Falls. From the appropriation account under section 20.370 (6) (dq) or 20.866 (2) (th) of the statutes, as affected by this act, the department of natural resources shall provide a grant to the city of Chippewa Falls during the 2007–09 fiscal biennium to purchase land along the business route of STH 29 near Bridge Street and River Street in the city of Chippewa Falls. The department shall make the grant under this subsection in an amount equal to $200,000 or 70 percent of the cost of purchasing the land, whichever is less.

(2u) Terms of Members of Lower Fox River Remediation Authority. Notwithstanding the length of terms specified in section 279.02 (1) of the statutes, as created by this act, the governor shall appoint one of the initial members of the Lower Fox River Remediation Authority for a term expiring on June 30, 2009, one of the initial members of the Lower Fox River Remediation Authority for a term expiring on June 30, 2010, one of the initial members of the Lower Fox River Remediation Authority for a term expiring on June 30, 2011, one of the initial members of the Lower Fox River Remediation Authority for a term expiring on June 30, 2012, one of the initial members of the Lower Fox River Remediation Authority for a term expiring on June 30, 2013, one of the initial members of the Lower Fox River Remediation Authority for a term expiring on June 30, 2014, and one of the initial members of the Lower Fox River Remediation Authority for a term expiring on June 30, 2015.

(2v) Southeastern Wisconsin Fox River Commission. The department of natural resources shall provide in fiscal year 2007–08, from the appropriation under
section 20.370 (5) (cq) of the statutes, as affected by this act, $250,000 to the
Southeastern Wisconsin Fox River Commission. The commission may use this
funding for activities that are being conducted on the effective date of this subsection
and that are consistent with the commission's implementation plan. The activities
for which this funding is utilized may include the activities required under section
33.56 (1), (2), and (3) of the statutes.

(3f) GRANT FOR CHELSEA SANITARY DISTRICT. Notwithstanding section 281.58 (8)
(g), (8m), and (13) (b) and (c) to (d) of the statutes, in fiscal year 2007–08, the
department of natural resources shall provide a clean water fund financial hardship
assistance grant of not more than $80,000 to the Chelsea Sanitary District in Taylor
County for sanitary system improvements. Notwithstanding section 281.58 (13) (e),
the department shall allocate financial hardship assistance for the Chelsea Sanitary
District project before it allocates financial hardship assistance to any other project
in fiscal year 2007–08.

(3k) WILDLIFE DAMAGE PLAN. The department of natural resources shall prepare
a plan that describes methods for administering the wildlife damage abatement and
wildlife damage claim programs in fiscal year 2008–09 so that the amounts expended
by the department for those programs, as authorized under section 29.889 of the
statutes, do not exceed the revenues received by the department for expenditure
under section 29.889 of the statutes. The department of natural resources shall
submit the plan to the members of the joint committee on finance no later than
January 1, 2008.

(4c) AQUATIC INVASIVE SPECIES GRANT. From the appropriation under section
20.370 (6) (as) of the statutes, as created by this act, the department of natural
resources shall provide a $25,000 grant in fiscal year 2007–08 to the city of Oshkosh
under section 23.22 (2) (c) of the statutes, as affected by this act, to fund aquatic invasive species education, prevention, and control activities in Miller’s Bay and the adjacent waters of Lake Winnebago. Notwithstanding the cost-sharing requirements specified under section 23.22 (2) (c) of the statutes, as affected by this act, the city of Oshkosh need not make any cost-share contributions to match the grant provided under this subsection.

(4f) **DULUTH-SUPERIOR HARBOR STUDY.** Of the amounts appropriated under section 20.370 (5) (cq) of the statutes, as affected by this act, and before applying the percentages under section 30.92 (4) (b) 6. of the statutes, the department of natural resources shall provide $100,000 in fiscal year 2007–08 to the city of Superior for a project to study dock wall corrosion in the Duluth–Superior Harbor. The city of Superior need not contribute any moneys to match the amount expended from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act. Notwithstanding section 30.92 (1) (c) and (4) (b) 7. of the statutes, the study of dock wall corrosion in the Duluth–Superior Harbor is a qualifying project for the purpose of expending moneys under this subsection. This project need not be placed on the priority list under section 30.92 (3) (a) of the statutes.

(4g) **ALL-TERRAIN VEHICLE TRAILS IN NORTHERN HIGHLAND-AMERICAN LEGION STATE FOREST.**

(a) From the appropriation under section 20.370 (1) (ms) of the statutes, as affected by this act, the department of natural resources may spend up to $504,100 during fiscal year 2007–08 for the development of all-terrain vehicle trails in the Northern Highland–American Legion State Forest, subject to paragraph (b).

(b) Expenditures under this subsection shall be approved by the natural resources board.
SECTION 9136. Nonstatutory provisions; Public Defender Board.

SECTION 9137. Nonstatutory provisions; Public Instruction.

(1) MILWAUKEE PARENTAL CHOICE PROGRAM FEES; RULES. By the first day of the 3rd month beginning after the effective date of this subsection, the department of public instruction shall, using the procedure under section 227.24 of the statutes, promulgate the rule required under section 119.23 (2) (a) 8. of the statutes, as created by this act, for the period before the effective date of the permanent rule promulgated under section 119.23 (2) (a) 8. of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of public instruction is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2) MILWAUKEE PARENTAL CHOICE PROGRAM FEES; FEES FOR THE 2007-08 SCHOOL YEAR. Notwithstanding section 119.23 (2) (a) 8. of the statutes, as created by this act, each private school participating in the program under section 119.23 of the statutes, as affected by this act, in the 2007-08 school year shall pay the fee required under section 119.23 (2) (a) 8. of the statutes, as created by this act, no later than 30 days after the effective date of the rule promulgated under subsection (1).

(3k) GRANTS FOR SCHOOL DISTRICT CONSOLIDATION.

(a) A consortium of 2 or more school districts may apply to the department of public instruction for a grant to conduct a school district consolidation feasibility study. The consortium shall submit a plan identifying the school districts engaged
in the study, the issues the study will address, and how the grant funds will be
expended. A school district may not be a member of more than one consortium.

(b) In the 2008–09 school year, the department of public instruction shall award
grants to consortia from the appropriation under section 20.255 (2) (bs) of the
statutes, as created by this act. The department may not award more than $10,000
to any consortium.

(c) The department of public instruction shall give priority to applications that
demonstrate prior attempts to address the underlying issues associated with
management and operation of the school districts’ programs.

(d) A consortium awarded a grant under paragraph (b) shall submit the results
of the study to the department of public instruction.

(4k) **School District Consolidation Study.** Notwithstanding section 115.435
of the statutes, the department of public instruction shall, from the appropriation
under section 20.255 (2) (ad) of the statutes, as affected by this act, award one or more
grants totaling $30,000 in the 2007–08 fiscal year to the school districts located in
Ashland, Price, or Sawyer counties for the purpose of studying consolidation.

(5i) **One-Time Grants to Organizations.** From the appropriation account under
section 20.255 (3) (a) of the statutes, as created by this act, the department of public
instruction shall distribute grants as follows:

(a) **Big Brothers Big Sisters of Dane County.** A grant of $25,000 in fiscal year
2007–08 to Big Brothers Big Sisters of Dane County for mentoring in collaboration
with the Madison Metropolitan School District.

(b) **Latino Community Center.** A grant of $12,500 in fiscal year 2007–08 to the
Latino Community Center for a school safety improvement project at South Division
High School.
(c) **Badger State Science and Engineering Fair.** A grant of $12,500 in fiscal year 2007–08 and in fiscal year 2008–09 to the Badger State Science and Engineering Fair.

(7c) **La Causa Charter School.**

(a) Notwithstanding section 196.218 (5) (a) of the statutes, as affected by this act, in the 2007–08 fiscal year the department of public instruction shall pay the amount appropriated under section 20.255 (2) (u) of the statutes, as created by this act, to La Causa Charter School in the city of Milwaukee.

(b) Notwithstanding section 196.218 (3) (a) of the statutes, as affected by this act, the public service commission shall ensure that the contributions from telecommunications providers under that paragraph are sufficient to generate the amount appropriated under section 20.255 (2) (u) of the statutes, as created by this act.

**SECTION 9138.** Nonstatutory provisions; Public Lands, Board of Commissioners of.

**SECTION 9139.** Nonstatutory provisions; Public Service Commission.

(1f) **Public library systems funding from universal service fund.** Notwithstanding section 196.218 (3) (a) 3. b. of the statutes, the public service commission shall, in determining the amount of contributions to the universal service fund for fiscal year 2007–08, deduct $9,200,000 from the amount appropriated under section 20.255 (3) (qm) of the statutes for fiscal year 2007–08.

**SECTION 9140.** Nonstatutory provisions; Regulation and Licensing.

**SECTION 9141.** Nonstatutory provisions; Revenue.

(1) **Internal revenue code.** Changes to the Internal Revenue Code made by Public Law 109–135, excluding sections 101, 105, 201 (a) as it relates to section
1 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of Public Law 109–135, and Public Law
2 109–280, excluding sections 811 and 844 of Public Law 109–280, apply to the
definitions of “Internal Revenue Code” in chapter 71 of the statutes at the time that
3 those changes apply for federal income tax purposes.

4 (1f) DEPARTMENT OF REVENUE STUDY; UTILITY LICENSE FEES. No later than
5 December 31, 2008, the department of revenue shall convene a study group to assess
6 the feasibility and desirability of imposing local general property taxes or their
7 equivalent on all property, other than production plants, of electric cooperatives,
8 municipal utilities, and light, heat, and power companies. The study group shall
9 include residents of communities that host public utility property; representatives
10 of electric cooperatives, municipal utilities, and light, heat, and power companies;
11 members of the public who have expertise in the taxation of public utilities and in
12 transmission line siting; and any other individuals who the department of revenue
13 believes to have expertise related to the study. No later than May 1, 2009, the study
14 group shall report its findings and recommendations to the legislature under section
15 13.172 (2) of the statutes.

16 (2f) RETAILER INVENTORY SYSTEM FOR LOTTERY TICKETS. The department of
17 revenue shall develop a detailed implementation and cost plan for an instant ticket
18 retailer inventory system and submit the plan to the joint committee on finance on
19 or before January 31, 2008. The plan shall include the text of a proposed
20 administrative rule relating to retailer billing procedures or, if such an
21 administrative rule has been promulgated, a summary of the promulgated
22 administrative rule. If the cochairpersons of the committee do not notify the
23 department within 14 working days after the date of submittal of the plan that the
24 committee has scheduled a meeting for the purpose of reviewing the plan, the
department may implement the plan. If, within 14 working days after the date of
submittal, the cochairpersons of the committee notify the department that the
committee has scheduled a meeting for the purpose of reviewing the plan, the
department may implement the plan only upon approval of the committee.

(2v) **PROPERTY TAXES DUE ON PROPERTY DAMAGED BY FLOODING.** Notwithstanding
sections 74.11 (2) (b) and 74.11 (8) of the statutes, the 2nd installment of property
taxes due and payable on or before July 31, 2007, for property located in the village
of Bagley and the town of Wyalusing may be paid no later than October 31, 2007, and
not be considered delinquent, if the taxpayer certifies to the taxation district that the
property has been damaged or destroyed by flooding. If the 2nd installment of taxes
is not paid on or before October 31, 2007, the entire amount of the taxes remaining
unpaid is delinquent as of November 1, 2007, and interest and penalties are due
under section 74.11 (11) of the statutes.

**SECTION 9142. Nonstatutory provisions; Secretary of State.**

**SECTION 9143. Nonstatutory provisions; State Employment Relations, Office of.**

**SECTION 9144. Nonstatutory provisions; State Fair Park Board.**

**SECTION 9145. Nonstatutory provisions; Supreme Court.**

**SECTION 9146. Nonstatutory provisions; Technical College System.**

(1k) **DAIRY SCIENCE ASSOCIATE DEGREE PROGRAM.** The technical college system
board shall allocate $194,000 in the 2008–09 fiscal year from the appropriation
under section 20.292 (1) (dc) of the statutes for an incentive grant to Northcentral
Technical College for a dairy science associate degree program if Northcentral
Technical College contributes at least $65,000 for the program in the 2008–09 fiscal
year.
(2k) Fee remissions. Notwithstanding section 38.24 (8) (bm) 2. of the statutes, as created by this act, a student who is a veteran may receive a remission under that subsection for the fall 2007 semester and may continue to receive the remission in subsequent semesters if the student remains continuously enrolled.

SECTION 9147. Nonstatutory provisions; Tourism.

SECTION 9148. Nonstatutory provisions; Transportation.

(2) Transfer of supplemental title fees. Notwithstanding sections 20.855 (4) (f) and 85.037 of the statutes, as affected by this act, no transfer of moneys may be made from the general fund under section 20.855 (4) (f) related to supplemental title fees collected under section 342.14 (3m) of the statutes, as affected by this act, during fiscal year 2007-08. This does not prohibit any transfers made during fiscal year 2007-08 for fees collected in fiscal year 2006-07. During fiscal year 2007-08, the secretary of administration shall transfer $1,500,000 from the general fund to the environmental fund in fiscal year 2007-08, for the purpose specified in section 25.46 (1m) of the statutes, as affected by this act.

SECTION 9149. Nonstatutory provisions; Treasurer.

SECTION 9150. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Authority.

(1f) New members. Notwithstanding section 233.02 (1) (ag) of the statutes, as created by this act, of the initial terms of the members of the board of directors of the University of Wisconsin Hospitals and Clinics Authority appointed under section 233.02 (1) (ag) of the statutes, as created by this act, one term shall expire on July 1, 2010, one term shall expire on July 1, 2011, and one term shall expire on July 1, 2012.
SECTION 9151. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Board.

(1f) NEW MEMBERS. Notwithstanding section 15.96 (1) (ag) of the statutes, as created by this act, of the initial terms of the members of the University of Wisconsin Hospitals and Clinics Board appointed under section 15.96 (1) (ag) of the statutes, as created by this act, one term shall expire on July 1, 2010, one term shall expire on July 1, 2011, and one term shall expire on July 1, 2012.

SECTION 9152. Nonstatutory provisions; University of Wisconsin System.

(1) UW-MILWAUKEE SCHOOL OF PUBLIC HEALTH. Of the moneys appropriated to the Board of Regents of the University of Wisconsin System under section 20.285 (1) (a) of the statutes for the 2008–09 fiscal year, the board shall allocate $200,000 for establishing the University of Wisconsin-Milwaukee School of Public Health, but only if the board approves the school.

(2u) WISCONSIN IDEA COURSE FOR CHINESE STUDENTS. Of the moneys appropriated to the Board of Regents of the University of Wisconsin System under section 20.285 (1) (a) of the statutes, the Board of Regents shall allocate $25,000 for fiscal year 2007–08 for the development of a 5-week course to be offered in the summer of 2008 for introducing Chinese political, business, and academic leaders and practitioners to the Wisconsin Idea, especially as the Wisconsin Idea relates to environmental issues in China. The Board of Regents shall prepare a report that assesses the environmental, economic, and educational impacts of the course on this state and China; recommends whether the course should be continued and, if so, how the course may be improved; and assesses how the Wisconsin Idea may be used to position the state as a preferred trading partner with China and to position the
University of Wisconsin as a preferred venue at which to discuss environmental and
natural resource issues related to China. No later than May 1, 2009, the Board of
Regents shall submit the report to the appropriate standing committees of the
legislature in the manner provided under section 13.172 (3) of the statutes.

(2v) Written policies for information technology development projects. No
later than January 1, 2008, the Board of Regents of the University of Wisconsin
System shall submit for review by the joint legislative audit committee and for
approval by the joint committee on information policy and technology a preliminary
draft of the policies required under section 36.59 (1) (c) of the statutes, as created by
this act.

(2w) Rules pertaining to large, high-risk information technology projects.
The Board of Regents of the University of Wisconsin System shall submit in proper
form the rules required under section 36.59 (2) of the statutes, as created by this act,
to the legislative council staff under section 227.15 (1) of the statutes no later than
June 30, 2008.

(3t) Lung cancer research. Of the moneys appropriated to the Board of
Regents of the University of Wisconsin System under section 20.285 (1) (a) of the
statutes for the 2008–09 fiscal year, the board may expend all but $2,500,000 if the
board does not receive $2,500,000 in gifts and grants from private sources in that
fiscal year to support lung cancer research at the University of Wisconsin Paul P.
Carbone Comprehensive Cancer Center. If the board receives $2,500,000 in gifts and
grants from private sources in that fiscal year to support such research, the board
may expend an additional $2,500,000 in that fiscal year to support such research.

Section 9153. Nonstatutory provisions; Veterans Affairs.
(1) Payments for outreach for homeless veterans. From the appropriation under section 20.485 (2) (am) of the statutes, as created by this act, the department of veterans affairs may annually make a payment not to exceed $25,000 to the Center for Veteran Issues for the purpose of providing outreach services for homeless veterans.

(2c) Douglas County veterans health care study. From the appropriation under section 20.485 (2) (tm) of the statutes, no later than June 30, 2009, the department of veterans affairs shall study the long-term health care needs of the veterans population in Douglas County, including the demand for, and feasibility of, establishing a rehabilitative care center, in addition to an evaluation of the anticipated need for a nursing home or assisted living facility in that area. The department of veterans affairs shall use the funding available under this subsection to contract for the study. The scope and methodology of the study shall be determined by the legislative audit bureau, with the cooperation of the department of veterans affairs.

(3g) Planning and study of cemetery in Outagamie County. From the appropriation under section 20.485 (2) (tm) of the statutes, the department of veterans affairs shall expend an amount not to exceed $35,000 during fiscal year 2007–08 for a capital planning and feasibility study of a new state veterans cemetery in Outagamie County.

(3i) Korean War memorial refurbishment. From the appropriation under section 20.485 (2) (e) of the statutes, as created by this act, the department of veterans affairs shall provide $165,000 during fiscal year 2007–08 for the refurbishment of the Korean War memorial at Plover. No moneys may be provided under this subsection until the veterans groups that are raising funds for
refurbishing the Korean War memorial at Plover raise matching funds of at least $165,000.

SECTION 9154. Nonstatutory provisions; Workforce Development.

(1) TRANSFER TO THE DEPARTMENT OF CHILDREN AND FAMILIES.

(a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of workforce development that are primarily related to the functions of the bureau of Wisconsin Works and child support and the child care section of the bureau of workforce programs, as determined by the secretary of administration, shall become the assets and liabilities of the department of children and families.

(b) Employee transfers.

1. The classified positions, and incumbent employees holding positions, in the department of workforce development relating primarily to the functions of the bureau of Wisconsin Works and child support and the child care section of the bureau of workforce programs, as determined by the secretary of administration, are transferred to the department of children and families.

2. The classified positions, and incumbent employees holding positions, in the department of workforce development relating primarily to general administration and program support that the secretary of administration determines should be transferred are transferred to the department of children and families. Upon determination of these employees, the secretary of workforce development shall, in conjunction with the secretary of health and family services, by January 1, 2008, and submit a plan to the secretary of administration requesting the transfer of moneys between the general purpose revenue appropriations for the departments of workforce development and health and family services and the department of
children and families, between the program revenue appropriations for the
departments of workforce development and health and family services and the
department of children and families, between the program revenue–service
appropriations for the departments of workforce development and health and family
services and the department of children and families, between the appropriations of
given segregated funds for the departments of workforce development and health
and family services and the department of children and families, and between the
federal revenue appropriations for the departments of workforce development and
health and family services and the department of children and families, if necessary
to adjust previously allocated costs in accordance with the transfer of personnel.

(c) **Employee status.** Employees transferred under paragraph (b) shall have the
same rights and status under subchapter V of chapter 111 and chapter 230 of the
statutes, as affected by this act, in the department of children and families that they
enjoyed in the department of workforce development immediately before the
transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so
transferred who has attained permanent status in class is required to serve a
probationary period.

(d) **Tangible personal property.** On the effective date of this paragraph, all
tangible personal property, including records, of the department of workforce
development that is primarily related to the functions of the bureau of Wisconsin
Works and child support and the child care section of the bureau of workforce
programs, as determined by the secretary of administration, shall be transferred to
the department of children and families.

(e) **Contracts.** All contracts entered into by the department of workforce
development in effect on the effective date of this paragraph that are primarily
related to the functions of the bureau of Wisconsin Works and child support and the
child care section of the bureau of workforce programs, as determined by the
secretary of administration, remain in effect and are transferred to the department
of children and families. The department of children and families shall carry out any
such contractual obligations unless modified or rescinded by the department of
children and families to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of workforce
development that are primarily related to the functions of the bureau of Wisconsin
Works and child support and the child care section of the bureau of workforce
programs, as determined by the secretary of administration, and that are in effect
on the effective date of this paragraph remain in effect until their specified expiration
dates or until amended or repealed by the department of children and families. All
orders issued by the department of workforce development that are primarily related
to the functions of the bureau of Wisconsin Works and child support and the child
care section of the bureau of workforce programs, as determined by the secretary of
administration, and that are in effect on the effective date of this paragraph remain
in effect until their specified expiration dates or until modified or rescinded by the
department of children and families.

(g) *Pending matters.* Any matter pending with the department of workforce
development on the effective date of this paragraph that is primarily related to the
functions of the bureau of Wisconsin Works and child support and the child care
section of the bureau of workforce programs, as determined by the secretary of
administration, is transferred to the department of children and families and all
materials submitted to or actions taken by the department of workforce development
with respect to the pending matter are considered as having been submitted to or taken by the department of children and families.

(3k) Transfer of Employee under Food Stamp Employment and Training Program.

(a) Position and employee transfer. There is transferred from the department of workforce development to the department of health and family services 1.0 FTE classified position, and the incumbent employee or employees holding the position, relating primarily to the administration of the food stamp employment and training program, as determined by the secretary of administration.

(b) Employee status. Employees transferred under paragraph (a) shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of health and family services that they enjoyed in the department of workforce development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(4k) Grant to Racine Young Women's Christian Association. From the appropriation under section 20.445 (3) (e) of the statutes, as created by this act, the department of workforce development shall make a grant of $25,000 in fiscal year 2007–08 to the Racine Young Women’s Christian Association for start-up costs for a job skills training program.

(5k) Grant to Racine County Workforce Development Board. From the appropriation account under section 20.445 (1) (fr) of the statutes, as created by this act, the department of workforce development shall distribute $25,000 in fiscal year 2007–08 to the Racine County Workforce Development Board for the development
of a comprehensive community-wide workforce development plan that addresses
the specific challenges faced in Racine County, including the need to prepare a highly
skilled and educated workforce that meets employer needs, so as to enhance the
economic viability of Racine County.

SECTION 9155. Nonstatutory provisions; other.

(1t) INDIAN CHILD HIGH-COST OUT-OF-HOME CARE PLACEMENT FUNDING. From the
appropriation account under section 20.437 (1) (kz) of the statutes, as affected by this
act, in fiscal year 2008-09 the department of children and families may expend not
more than $500,000 in moneys transferred from the appropriation account under
section 20.505 (8) (hm) 21. of the statutes, as created by this act, less any moneys
expended under SECTION 9121 (1t) of this act, for unexpected or unusually high-cost
out-of-home care placements of Indian children by tribal courts.

(3t) LEVY LIMIT EXCEPTION; COUNTY CHARGES TO RECOVERY UNLAWFUL PROPERTY
TAXES. The limit otherwise applicable under section 66.0602 of the statutes does not
apply to an amount that a municipality levied in 2006 as a county special charge to
recover unlawful real estate taxes that were included on a municipality’s statement
of taxes for 2006 that was filed with the department of revenue if the special charge
resulted from a 2005 tax amount that was rescinded due to an error, as that term is
used in section 74.33 (1) of the statutes.

(5a) LOCAL PURCHASES AND PROJECTS. The amounts, grantees, and purposes of
the purchases and projects funded under section 16.40 (24) of the statutes, as created
by this act, are as follows:

(a) The sum of $15,000 to the Resch Aquatic Center in the city of Green Bay to
assist with the costs associated with furnishings including, lockers for the center’s
lifeguards or construction of a concrete apron for spectators, or both.
(b) The sum of $10,000 to the town of Pensaukee, Oconto County, to purchase furnishings, including historical photographs and frames, conference furniture, desks, and chairs, for the town hall.

(c) The sum of $25,000 to the city of Sun Prairie to be used for the design and construction of a handicapped-accessible playground in Firemen's Park.

(d) The sum of $12,500 to the Southside Organizing Committee in the city of Milwaukee for the purchase of a laptop computer and projector, a portable sound system with 4 wireless microphones, and translating equipment for 15 individuals.

(e) The sum of $10,000 to Greater New Birth, Inc., in the city of Milwaukee to assist with the costs of a project to address child safety and violence reduction programing.

(f) The sum of $50,000 to the Cleghorn Community Center in the town of Pleasant Valley in Eau Claire County for parking lot and road improvements at the center.

(5k) **Report by Department of Children and Families.** Notwithstanding the requirement under section 49.32 (1) (a) of the statutes, as affected by this act, for reporting the number of children placed for adoption by the department of children and families and costs to the state relating to the adoptions during the previous year, for the report due by March 1, 2009, the department of children and families shall report the number of children placed for adoption by both the department of children and families and the department of health and family services during 2008 and the costs to the state relating to all those adoptions.

(9u) **Dane County Early Childhood Initiatives.** From the appropriation account under section 20.437 (1) (bc) of the statutes, as affected by section 342 of this act, the department of children and families shall distribute $250,000 in fiscal year
2008–09 for comprehensive early childhood initiatives in Dane County that provide home visiting and employment preparation and support for low-income families.

SECTION 9201. Fiscal changes; Administration.

(1c) Lapse or transfer of any unencumbered moneys in appropriation accounts and funds.

(a) Notwithstanding sections 20.001 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations to executive branch state agencies, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to $70,000,000 during each fiscal year of the 2007–09 and 2009–11 fiscal biennia. This paragraph shall not apply to appropriations to the Board of Regents of the University of Wisconsin System and to the technical college system board.

(b) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to paragraph (d), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of state operations appropriations to the Board of Regents of the University of Wisconsin System, other than sum sufficient appropriations and appropriations of federal revenues, an amount equal to $12,500,000 during each fiscal year of the 2007–09 and 2009–11 fiscal biennia.

(c) Notwithstanding section 20.001 (3) (a) to (c) of the statutes, but subject to paragraph (d), the secretary of administration shall lapse to the general fund or transfer to the general fund from the unencumbered balances of appropriations to the technical college system board, other than sum sufficient appropriations and
appropriations of federal revenues, an amount equal to $500,000 during each fiscal year of the 2007–09 and 2009–11 fiscal biennia.

(d) The secretary of administration may not lapse or transfer moneys under this subsection if the lapse or transfer would violate a condition imposed by the federal government on the expenditure of the moneys or if the lapse or transfer would violate the federal or state constitution.

SECTION 9202. Fiscal changes; Aging and Long-Term Care Board.

SECTION 9203. Fiscal changes; Agriculture, Trade and Consumer Protection.

(1) Transfer from agricultural chemical cleanup fund for food regulation. There is transferred from the agricultural chemical cleanup fund to the appropriation account under section 20.115 (1) (gb) of the statutes $250,000 in fiscal year 2007–08 and $100,000 in fiscal year 2008–09.

(2) Transfer from agricultural chemical cleanup fund for animal health regulation. There is transferred from the agricultural chemical cleanup fund to the appropriation account under section 20.115 (2) (ha) of the statutes $125,000 in fiscal year 2007–08 and $125,000 in fiscal year 2008–09.

SECTION 9204. Fiscal changes; Arts Board.

SECTION 9205. Fiscal changes; Building Commission.

SECTION 9206. Fiscal changes; Child Abuse and Neglect Prevention Board.

SECTION 9207. Fiscal changes; Circuit Courts.

SECTION 9208. Fiscal changes; Commerce.

SECTION 9209. Fiscal changes; Corrections.

(1f) Juvenile correctional services transfer.
(a) Subject to paragraph (b), if notwithstanding sections 16.50 (2), 16.52, 20.002 (11), and 20.903 of the statutes there is a deficit in the appropriation account under section 20.410 (3) (hm), 2005 stats., at the close of fiscal year 2006-07, any unencumbered balance in the appropriation account under section 20.410 (3) (ho), 2005 stats., at the close of fiscal year 2006-07, less the amounts required under that paragraph to be remitted to counties or transferred to the appropriation account under section 20.410 (3) (kx) of the statutes, and any unencumbered balance in the appropriation account under section 20.410 (3) (hr), 2005 stats., at the close of fiscal year 2006-07, shall be transferred to the appropriation account under section 20.410 (3) (hm) of the statutes, as affected by SECTION 324g of this act, except that the total amount of the unencumbered balances transferred under this paragraph may not exceed the amount of that deficit.

(b) If the deficit specified in paragraph (a) is less than the total amount of the unencumbered balances available for transfer under paragraph (a), the total amount transferred from the appropriation accounts under section 20.410 (3) (ho) and (hr), 2005 stats., to the appropriation account under section 20.410 (3) (hm) of the statutes, as affected by SECTION 324g of this act, under paragraph (a) shall equal the amount of that deficit and the amount transferred from each of those appropriation accounts shall be in proportion to the respective unencumbered balance available for transfer from each of those appropriation accounts.

SECTION 9210. Fiscal changes; Court of Appeals.

SECTION 9211. Fiscal changes; District Attorneys.

SECTION 9212. Fiscal changes; Educational Communications Board.

SECTION 9214. Fiscal changes; Employee Trust Funds.

SECTION 9215. Fiscal changes; Employment Relations Commission.
SECTION 9217. Fiscal changes; Financial Institutions.

(1j) DELAYED LAPSE. Notwithstanding section 20.144 (1) (g) of the statutes, as affected by the acts of 2007, from the amounts required to be lapsed to the general fund under section 20.144 (1) (g) of the statutes, as affected by the acts of 2007, at the close of the 2007−08 fiscal year, the department of financial institutions shall retain in that appropriation account the lesser of the unencumbered balance in the account or $20,000,000 and shall lapse from that appropriation account the lesser of the unencumbered balance in the account or $20,000,000 to the general fund on July 31, 2008.

SECTION 9218. Fiscal changes; Fox River Navigational System Authority.

SECTION 9218m. Fiscal changes; Government Accountability Board.

SECTION 9219. Fiscal changes; Governor.

SECTION 9220. Fiscal changes; Health and Educational Facilities Authority.

SECTION 9221. Fiscal changes; Health and Family Services.

(1q) COUNCIL ON DEVELOPMENTAL DISABILITIES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.435 (6) (m) of the statutes, as affected by the acts of 2007, the dollar amount is decreased by $728,200 for fiscal year 2007−08 to decrease the authorized FTE positions for the department by 7.75 FED positions for the council on developmental disabilities.

(2q) LAPSE OF INCOME AUGMENTATION RECEIPTS.

(a) Notwithstanding section 20.001 (3) (c) of the statutes, if after supporting the costs specified in section 46.46 (1g) of the statutes and section 46.46 (1) and (1m),
2005 stats., there remains $22,271,000 or more in the appropriation account under section 20.435 (8) (mb) of the statutes, as affected by the acts of 2007, the secretary of administration shall lapse to the general fund, from the appropriation account, $22,271,000 in fiscal year 2007–08. If after supporting those costs there remains less than $22,271,000 in that appropriation account, the secretary shall lapse to the general fund, from that appropriation account, those remaining moneys.

(b) Notwithstanding section 20.201 (3) (c) of the statutes, if after supporting the costs specified in section 46.46 (1g) of the statutes, section 46.46 (1) and (1m) of the statutes, as affected by this act, and section 48.567 (1) of the statutes, as created by this act, there remains $15,000,000 or more in the appropriation accounts under sections 20.435 (8) (mb) and 20.437 (3) (mp) of the statutes, as affected by the acts of 2007, the secretary of administration shall lapse to the general fund, from those appropriation accounts, $15,000,000 in fiscal year 2008–09. If after supporting those costs there remains less than $15,000,000 in those appropriation accounts, the secretary shall lapse to the general fund, from those appropriation accounts, those remaining moneys.

SECTION 9222. Fiscal changes; Higher Educational Aids Board.

SECTION 9223. Fiscal changes; Historical Society.

SECTION 9224. Fiscal changes; Housing and Economic Development Authority.

SECTION 9225. Fiscal changes; Insurance.

(1) REPEAL OF SUPPORT SERVICES APPROPRIATION. The unencumbered balance in the appropriation account under section 20.145 (1) (k), 2005 stats., is transferred to the appropriation account under section 20.145 (1) (g) of the statutes, as affected by this act.
(2) **Medical Assistance Trust Fund.** Notwithstanding section 655.27 (6) of the statutes, there is transferred from the injured patients and families compensation fund to the Medical Assistance trust fund $101,000,000 in fiscal year 2007–08 and $74,000,000 in fiscal year 2008–09.

SECTION 9226. Fiscal changes; Investment Board.

SECTION 9227. Fiscal changes; Joint Committee on Finance.

(1k) **Government Accountability Board per diem payments.** Of the moneys appropriated to the joint committee on finance under section 20.865 (4) (a) of the statutes for the 2007–09 fiscal biennium, $28,300 in fiscal year 2007–08 and $28,300 in fiscal year 2008–09 are allocated to provide per diem payments to board members and the chairperson or chairperson's designee. If, upon receiving the report required under **Section 9118m (1k)** of this act, the cochairpersons of the joint committee on finance do not notify the legal counsel to the government accountability board that the committee has scheduled a meeting for the purpose of reviewing the board's proposed expenditures for per diem payments in the fiscal year to which the report relates within 14 working days after the date that the board submits its report, the moneys allocated under this subsection for that fiscal year are transferred to the appropriation under section 20.511 (1) (a) of the statutes and may be expended by the board for the purpose of making the payments. If, within 14 working days after the date that the board submits its report, the cochairpersons of the committee notify the legal counsel to the board that the committee has scheduled a meeting for the purpose of reviewing the board's proposed expenditures for per diem payments in the fiscal year to which the report relates, the moneys allocated under this subsection for that fiscal year may be transferred to the appropriation under section 20.511 (1) (a) of the statutes only upon approval of the committee. Upon transfer of any moneys
to the appropriation under section 20.511 (1) (a) of the statutes under this subsection, the appropriation for the fiscal year in which the transfer is made is increased by the amount transferred.

(1L) **REPORTS ON EXPENDITURES FROM ELECTION ADMINISTRATION FUND.**

(a) No later than the 15th day of each month, the elections board shall, prior to its termination, and the government accountability board shall, thereafter, report to the cochairpersons of the joint committee on finance concerning the expenditures made by the elections board or the government accountability board in the previous month from the election administration fund for the statewide voter registration system for staffing costs, outside contractors, and supplies and other services. The reports shall detail the expenditures under each category and the total expenditures made under each category. Any member of the committee who objects to an expenditure that is identified in the report shall promptly notify the cochairpersons of the committee of that objection. If, upon receiving any report under this paragraph, the cochairpersons do not notify the executive director of the elections board, prior to its termination, or the legal counsel to the government accountability board, thereafter, that the committee has scheduled a meeting for the purpose of reviewing expenditures by the board from the election administration fund for the statewide voter registration system within 7 working days after the date that a report under this paragraph is submitted, the board may continue to make expenditures from the election administration fund for the statewide voter registration system. If, within 7 working days after the board submits a report under this paragraph, the cochairpersons of the committee notify the executive director of the elections board, prior to its termination, or the legal counsel to the government accountability board, thereafter, that a member of the committee objects to an
expenditure from the election administration fund that is identified in the report, the board shall not make any additional expenditures from the election administration fund for the statewide voter registration system from the category to which the expenditure relates, except to honor prior legal obligations, until the committee meets and authorizes additional expenditures to be made for that purpose from the election administration fund. The cochairpersons of the committee shall call a meeting of the committee to be held within 90 days of the date that a member notifies the cochairpersons that the member objects to an expenditure that is identified in a report submitted under this paragraph.

(b) This subsection does not apply after June 30, 2009.

SECTION 9228. Fiscal changes; Judicial Commission.

SECTION 9229. Fiscal changes; Justice.

SECTION 9230. Fiscal changes; Legislature.

SECTION 9231. Fiscal changes; Lieutenant Governor.

SECTION 9232. Fiscal changes; Lower Wisconsin State Riverway Board.

SECTION 9233. Fiscal changes; Medical College of Wisconsin.

SECTION 9234. Fiscal changes; Military Affairs.

(1) MAJOR DISASTER ASSISTANCE. In addition to the amounts in the schedule, in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of military affairs under section 20.465 (3) (s) of the statutes, as affected by the acts of 2007, the dollar amount is increased by an amount equal to the unencumbered balance in the appropriation under section 20.465 (3) (s), 2005 stats., immediately before the lapse of any money remaining in that appropriation on June 30, 2007, but not to exceed $1,000,000.

SECTION 9235. Fiscal changes; Natural Resources.
(1) Recreational boating aids lapse. Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the conservation fund from the appropriation account to the department of natural resources under section 20.370 (5) (cq) of the statutes, as affected by this act, $1,777,200 on the effective date of this subsection and $132,000 in fiscal year 2008–09.

(2) Lake management and invasive species control grants lapse. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the conservation fund $429,800 from the appropriation account to the department of natural resources under section 20.370 (6) (ar) of the statutes.

(3) Boating access lapse. Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the conservation fund from the appropriation account to the department of natural resources under section 20.370 (7) (ft) of the statutes $334,300 on the effective date of this subsection and $8,500 in fiscal year 2008–09.

(4) Mississippi and St. Croix rivers management lapse. Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the conservation fund from the appropriation account to the department of natural resources under section 20.370 (7) (fw) of the statutes $231,200 on the effective date of this subsection and $2,600 in fiscal year 2008–09.

(4j) Nonprofit conservation organization grants lapse. Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the conservation fund from the appropriation account to the department of natural resources under section 20.370 (5) (aw) of the statutes, $11,200 on the effective date of this subsection and $4,200 in fiscal year 2008–09 and from the appropriation account to the department of
natural resources under section 20.370 (6) (aw) of the statutes, $7,900 on the
effective date of this subsection and $2,900 in fiscal year 2008–09.

(4k) **Boating Access to Southeastern Lakes Lapse.** Notwithstanding section
20.001 (3) (c) of the statutes, there is lapsed to the conservation fund from the
appropriation account to the department of natural resources under section 20.370
(7) (fr) of the statutes, $11,200 on the effective date of this subsection and $4,200 in
fiscal year 2008–09.

(4L) **Facilities Acquisition and Maintenance Lapse.** Notwithstanding section
20.001 (3) (c) of the statutes, there is lapsed to the conservation fund from the
appropriation account to the department of natural resources under section 20.370
(7) (hq) of the statutes, $1,100 on the effective date of this subsection and $400 in
fiscal year 2008–09.

(5k) **Sustainable Forestry Education Lapse.** Notwithstanding section 20.001
(3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the
conservation fund $950,000 from the appropriation account of the department
of natural resources under section 20.370 (1) (cv) of the statutes, as affected by the

**SECTION 9236. Fiscal changes; Public Defender Board.**

**SECTION 9237. Fiscal changes; Public Instruction.**

**SECTION 9238. Fiscal changes; Public Lands, Board of Commissioners**

of.

**SECTION 9239. Fiscal changes; Public Service Commission.**

**SECTION 9240. Fiscal changes; Regulation and Licensing.**

(1k) **Lapse to General Fund; General Program Operations.** Notwithstanding
section 20.001 (3) (c) of the statutes, there is lapsed to the general fund $2,920,600
in fiscal year 2007–08 and $982,100 in fiscal year 2008–09 from the appropriation account of the department of regulation and licensing under section 20.165 (1) (g) of the statutes, as affected by the acts of 2007.

(2k) LAPSE TO GENERAL FUND; EXAMINATION OPERATIONS. Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the general fund $355,900 in fiscal year 2007–08 from the appropriation account of the department of regulation and licensing under section 20.165 (1) (i) of the statutes, as affected by the acts of 2007.

SECTION 9241. Fiscal changes; Revenue.

(1) PROPERTY ASSESSMENT MANUAL COSTS. Notwithstanding section 20.001 (3) (a) to (c) of the statutes, the secretary of administration shall, during the 2008–09 fiscal year, lapse to the general fund from the general program revenue appropriations under section 20.566 of the statutes an amount equal to the amount by which the amount credited to the appropriation account under section 20.566 (2) (hi) of the statutes during the 2007–08 fiscal year exceeded the amount appropriated to the department of revenue under section 20.566 (2) (hi) of the statutes in the 2007–08 fiscal year.

SECTION 9242. Fiscal changes; Secretary of State.

SECTION 9243. Fiscal changes; State Employment Relations, Office of.

SECTION 9244. Fiscal changes; State Fair Park Board.

SECTION 9245. Fiscal changes; Supreme Court.

SECTION 9246. Fiscal changes; Technical College System.

SECTION 9247. Fiscal changes; Tourism.

SECTION 9248. Fiscal changes; Transportation.

SECTION 9249. Fiscal changes; Treasurer.
SECTION 9250. Fiscal changes; University of Wisconsin Hospitals and Clinics Authority.

SECTION 9251. Fiscal changes; University of Wisconsin Hospitals and Clinics Board.

SECTION 9252. Fiscal changes; University of Wisconsin System.

SECTION 9253. Fiscal changes; Veterans Affairs.

SECTION 9254. Fiscal changes; Workforce Development.

(1) Unemployment Insurance Appropriation Balance Transfers. The unencumbered balances in the appropriation accounts under section 20.445 (1) (ge), (gf), and (gi) of the statutes are transferred to the appropriation account under section 20.445 (1) (gd) of the statutes, as affected by this act.

SECTION 9255. Fiscal changes; other.

(1q) Council on Developmental Disabilities. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of children and families under section 20.437 (3) (mg) of the statutes, as affected by the acts of 2007, the dollar amount is decreased by $724,600 for fiscal year 2008–09 to decrease the authorized FTE positions for the department by 7.75 FED positions for the council on developmental disabilities.

SECTION 9301. Initial applicability; Administration.

SECTION 9302. Initial applicability; Aging and Long-Term Care Board.

SECTION 9303. Initial applicability; Agriculture, Trade and Consumer Protection.
(iv) Nonhousehold Pesticide Cleanup Surcharge. The treatment of section 94.681 (3) (a), (b), and (c) of the statutes first applies to products sold on October 1, 2007.

SECTION 9304. Initial applicability; Arts Board.

SECTION 9305. Initial applicability; Building Commission.

SECTION 9306. Initial applicability; Child Abuse and Neglect Prevention Board.

SECTION 9307. Initial applicability; Circuit Courts.

(1) Court Interpreters. The treatment of section 885.38 (3) (a) (intro.) and (8) (a) (intro.) of the statutes first applies to actions commenced on the effective date of this subsection.

SECTION 9308. Initial applicability; Commerce.

(1) Wisconsin Development Fund Restructuring. The treatment of sections 20.143 (1) (c) and (ie), 84.185 (1) (ce) and (cm), 243.01 (4n) (a) 3m. e., 292.11 (7) (d) 1m. b., 292.255, 560.045 (1), 560.14 (1) (ar), 560.145, 560.147, 560.15 (2) (d), 560.16, 560.17 (1) (am) and (bm), 560.175, 560.26, 560.60 (1m), (1v), (3), (3m), (4), (8), (10), (11), (13), (15), (17), and (18m), 560.605 (1) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), (i), and (p), (2) (intro.), (a), (b), (c), (d), (e), and (f), (2m) (intro.), (c), (d), and (e), (4), (5), (5m), and (6), 560.607 (1), 560.61 (intro.), (1), and (3), 560.62, 560.63, 560.65, 560.66, and 560.68 (1m), (2m), (3), (6), and (7) (a) of the statutes, the renumbering and amendment of section 560.68 (5) of the statutes, and the creation of section 560.68 (5) (a) of the statutes first apply to applications for grants and loans received on the effective date of this subsection.

(2f) Petroleum Storage Remedial Action Reimbursement Limitation. The treatment of section 101.143 (4) (c) 14. of the statutes first applies to claimants who
receive written notification that no further remedial action is necessary on the
effective date of this subsection.

(2k) DEVELOPMENT FINANCE BOARD. The treatment of section 15.155 (1) (a) 6. of
the statutes first applies to members of the development finance board who have
been appointed under section 15.155 (1) (a) 6., 2005 stats., and who are serving on
the development finance board on the effective date of this subsection.

SECTION 9308. Initial applicability; Corrections.

(1) REVOCATION OF CONDITIONAL RELEASE. The treatment of section 971.17 (3) (e)
of the statutes first applies to persons who are detained on the effective date of this
subsection.

(2c) DOMESTIC ABUSE SURCHARGE. The treatment of section 973.055 (1) (intro.)
of the statutes first applies to persons who are convicted of a crime specified in section
973.055 (1) of the statutes on January 1, 2008.

SECTION 9309. Initial applicability; Court of Appeals.

SECTION 9310. Initial applicability; District Attorneys.

SECTION 9311. Initial applicability; District Attorneys.

SECTION 9312. Initial applicability; Educational Communications
Board.

SECTION 9314. Initial applicability; Employee Trust Funds.

SECTION 9315. Initial applicability; Employment Relations
Commission.

SECTION 9317. Initial applicability; Financial Institutions.

SECTION 9318. Initial applicability; Fox River Navigational System
Authority.

SECTION 9318m. Initial applicability; Government Accountability
Board.
SECTION 9319. Initial applicability; Governor.

SECTION 9320. Initial applicability; Health and Educational Facilities Authority.

SECTION 9321. Initial applicability; Health and Family Services.

(3) Out-of-home placements of children.

(a) Juvenile court reports. The treatment of section 48.425 (1) (c) of the statutes first applies to reports filed with the court assigned to exercise jurisdiction under chapters 48 and 938 of the statutes on the effective date of this paragraph.

(b) Orders placing child outside home. The treatment of sections 48.21 (5) (c), 48.235 (4) (b) and (4m) (b), 48.355 (2) (b) 1. and 6g., 48.357 (1) (am) 3. and (c) 3., (2m) (c), and (2v) (a) 1m., 48.38 (2) (intro.), 48.417 (2) (c), 48.43 (1) (am) and (cm), 767.41 (3) (a) (with respect to transferring legal custody of a child to the department of health and family services) and (am), 767.451 (7) (with respect to transferring legal custody of a child to the department of health and family services), 938.21 (5) (c), 938.235 (4) (b), 938.32 (1) (c) 1. d., 938.355 (2) (b) 1. and 6g., (6) (d) 1., and (6m) (a) 1g., 938.357 (1) (am) 3. and (c) 3., (2m) (c), and (2v) (a) 1m., and 938.38 (2) (intro.) of the statutes, the renumbering and amendment of sections 48.21 (5) (b) 1., 48.32 (1) (b) 1., and 938.21 (5) (b) 1. d., 48.32 (1) (b) 1. d., and 938.21 (5) (b) 1. d. of the statutes first apply to court orders granted on the effective date of this paragraph.

(c) Voluntary agreements placing child outside home. The treatment of sections 48.63 (1) and 48.75 (1g) (c) 1. of the statutes first applies to voluntary agreements placing a child outside the home entered into on the effective date of this paragraph.

(4) Medical Assistance asset transfer changes.
(a) **Eligibility changes.** The treatment of section 49.47 (4) (a) (intro.), (bm), and (cr) of the statutes first applies to individuals who apply or are recertified for medical assistance on the effective date of this paragraph.

(b) **Divestment changes.** The treatment of section 49.453 (1) (f) (intro.), 1., 2., and 2m. and (fm), (3) (b) (intro.) and (bc), (4) (a), (ac), (am), (b), (c), (cm), (d), (e), and (em), (4c), and (4m) of the statutes, the renumbering and amendment of section 49.453 (3) (a) and (8) of the statutes, the creation of section 49.453 (3) (a) 2. and (8) (b) of the statutes first apply to individuals who apply for or are receiving medical assistance for nursing facility services or other long-term care services on the effective date of this paragraph.

(c) **Continuing care contracts.** The treatment of section 647.05 (2m) of the statutes first applies to contracts entered into on the effective date of this paragraph.

(5) **BACKGROUND CHECKS OF FOSTER AND ADOPTIVE HOMES.** The treatment of sections 48.685 (1) (bg) and (d), (2) (b) 1. (intro.) and (c), (3) (a) and (b), (4m) (b) (intro.), and (5) (a) and (bm) (intro.), and 48.88 (2) (am) of the statutes first applies to a person who applies for a license to operate a foster home or treatment foster home or for an investigation of a proposed adoptive home on the effective date of this subsection.

(7) **DISPROPORTIONATE SHARE HOSPITALS.** The treatment of sections 49.02 (2) (c) and 49.45 (6z) (a) (by SECTION 1538) of the statutes first applies to indigent care agreements entered into on the effective date of this subsection.

(8) **SOCIAL SECURITY NUMBER EXEMPTION.** The renumbering and amendment of section 49.82 (2) of the statutes and the creation of section 49.82 (2) (b) of the statutes first apply to applications received on the effective date of this subsection.
(9c) Care management organization contracts. The treatment of section 46.284 (2) (c) of the statutes first applies to contracts entered into, renewed, or extended on the effective date of this subsection.

Section 9322. Initial applicability; Higher Educational Aids Board.

(2) Remission of fees for veterans and dependents. The treatment of sections 20.235 (1) (fz), 36.27 (3n) (c) and (3p) (c), 38.24 (7) (c) and (8) (c), and 39.50 of the statutes first applies to students who enroll for classes in the 2007−08 academic year.

(3) Wisconsin Covenant Scholars Program. The treatment of sections 20.235 (1) (fm) and 39.437 of the statutes first applies to students who enroll in a public or private, nonprofit, accredited, institution of higher education or in a tribally controlled college in this state in the 2011−12 academic year.

(3x) Minnesota−Wisconsin Student Reciprocity Agreement. The treatment of section 39.47 (1), (2), and (3) of the statutes first applies to reimbursement owed under the Minnesota–Wisconsin student reciprocity agreement for the 2008−09 academic year.

Section 9323. Initial applicability; Historical Society.

Section 9324. Initial applicability; Housing and Economic Development Authority.

Section 9325. Initial applicability; Insurance.

(1f) Health insurance; treatment restriction or termination; claim forms.

(a) Except as provided in paragraph (b), the treatment of sections 632.726, 632.857, and 632.875 (2) (g) of the statutes first applies to claims for insurance coverage that are submitted to an insurer on the effective date of this paragraph.

(b) If a health insurance policy or plan that is in effect on the effective date of this paragraph contains a provision that is inconsistent with the treatment of section
632.726, 632.857, or 632.875 (2) (g) of the statutes, the treatment of section 632.726, 632.857, or 632.875 (2) (g) of the statutes, whichever is applicable, first applies to that health insurance policy or plan on the date on which it is renewed.

(2i) **Coverage of treatment for autism spectrum disorders.** The treatment of sections 40.51 (8) and (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.981 (4t), 185.983 (1) (intro.), 609.87, and 632.895 (15) of the statutes first applies to all of the following:

(a) Except as provided in paragraphs (b) and (c), disability insurance policies that are issued or renewed, and self−insured governmental or school district health plans that are established, extended, modified, or renewed, on the effective date of this paragraph.

(b) Disability insurance policies covering employees who are affected by a collective bargaining agreement containing provisions inconsistent with this act that are issued or renewed on the earlier of the following:

1. The day on which the collective bargaining agreement expires.

2. The day on which the collective bargaining agreement is extended, modified, or renewed.

(c) Self−insured governmental or school district health plans covering employees who are affected by a collective bargaining agreement containing provisions inconsistent with this act that are established, extended, modified, or renewed on the earlier of the following:

1. The day on which the collective bargaining agreement expires.

2. The day on which the collective bargaining agreement is extended, modified, or renewed.

**Section 9326. Initial applicability; Investment Board.**
SECTION 9327. Initial applicability; Joint Committee on Finance.

SECTION 9328. Initial applicability; Judicial Commission.

SECTION 9329. Initial applicability; Justice.

(1) HAZARDOUS WASTE COST RECOVERY. The treatment of section 291.97 (3) of the statutes first applies to actions commenced on the effective date of this subsection.

(2) FALSE CLAIMS. The treatment of section 49.485 of the statutes first applies with respect to false claims that are presented or caused to be presented on the effective date of this subsection.

(4) SEXUAL ASSAULT FORENSIC EXAMS. The treatment of section 20.455 (5) (d) of the statutes and subchapter II of chapter 949 of the statutes first applies to examinations conducted on the effective date of this subsection.

SECTION 9330. Initial applicability; Legislature.

SECTION 9331. Initial applicability; Lieutenant Governor.

SECTION 9332. Initial applicability; Lower Wisconsin State Riverway Board.

SECTION 9333. Initial applicability; Medical College of Wisconsin.

SECTION 9334. Initial applicability; Military Affairs.

(2t) EDUCATIONAL BENEFITS. The treatment of section 21.49 (2m) of the statutes first applies to applications for tuition grants for an academic term that begins after the effective date of this subsection.

SECTION 9335. Initial applicability; Natural Resources.

(1) RECYCLING TIPPING FEE. The treatment of section 289.645 (3) of the statutes first applies to solid waste disposed of on the first day of the first month beginning after the effective date of this subsection.

SECTION 9336. Initial applicability; Public Defender Board.
(1) **Representation in civil commitment, protective placement, and involuntary medication cases.** The treatment of sections 20.550 (1) (L), 51.15 (9), 51.20 (3) and (18) (c), 51.35 (1) (e) 1. and 2. c., 51.45 (12) (b) (intro.), 1., 2., and 3. and (c) 2., 51.45 (13) (b) 2., (d), and (j) and (16) (c), 51.60, 51.605, 55.10 (4) (a), 55.105, 55.107, 55.135 (1), 55.14 (7), 55.15 (7) (cm), 55.18 (3) (c) (intro.), 55.19 (3) (c) (intro.), 809.30 (2) (d), 967.06 (2) (a) and (b), 977.02 (2m), 977.05 (4) (gm), (h), and (i) 8., 977.06 (2) (a) and (am), 977.07 (1) (a) and (c), 977.075 (1g), (3), (3m), and (4), and 977.08 (1) and (2) (intro.) and (d) of the statutes first applies to civil proceedings commencing, emergency detentions or emergency placements occurring, placement transfers occurring, or petitions for, or annual reviews of, court orders for involuntary administration of psychotropic medication commencing on July 1, 2008.

**SECTION 9337. Initial applicability; Public Instruction.**

(1) **School breakfast programs.** The treatment of section 115.341 (1) of the statutes first applies to breakfasts served during the 2007–08 school year.

(2) **Revenue limit; declining enrollment.** The treatment of section 121.91 (2m) (e) (intro.), (4) (f) 1. and 1m. b. and c., and (8) of the statutes first applies to the calculation of a school district’s revenue limit for the 2007–08 school year.

(4) **Grants for master educator licensure.** The treatment of sections 20.255 (3) (c) and 115.42 (title), (1) (a) 1. and (b), (2) (a) (intro.) and 1., (3), and (4) (c) of the statutes first applies to persons who were licensed by the department of public instruction as master educators on July 1, 2005.

**SECTION 9338. Initial applicability; Public Lands, Board of Commissioners of.**

**SECTION 9339. Initial applicability; Public Service Commission.**
(1d) **Universal Service Fund Reimbursements.** The treatment of section 196.218 (3) (g) of the statutes first applies to overpayments made in 2005.

**SECTION 9340. Initial applicability; Regulation and Licensing.**

**SECTION 9341. Initial applicability; Revenue.**

(2) **Veterans Service Organizations; Income and Franchise Tax.** The treatment of section 71.26 (1) (am) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.26 (1) (am) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(3) **Development Zones Tax Credits.** The treatment of section 76.636 (1) (e) and (2) (b), (c), (d), and (e) of the statutes first applies to taxable years beginning on January 1, 2008.

(3c) **Veterans and Surviving Spouses Property Tax Credit.** The treatment of section 71.07 (6e) (a) 2. a., b., and c., 3. (intro.), b., and d., and 3e. of the statutes first applies to taxable years beginning on January 1, 2009.

(5) **Withholding Tax on Nonresident Members of Pass-Through Entities.** The treatment of sections 71.775 (3) (a) 2. and 3. and (4) (b) 2., (d), and (f), and 71.83 (1) (a) 1. of the statutes first applies retroactively to taxable years beginning on January 1, 2006.

(5t) **Real Estate Investment Trust; Regulated Investment Company.** The treatment of section 71.26 (2) (b) of the statutes first applies to taxable years beginning on July 1, 2007.

(6) **Enterprise Zone Jobs Credit.** The repeal of sections 71.07 (3w) (bm) 3., 71.28 (3w) (bm) 3., and 71.47 (3w) (bm) 3. of the statutes, the consolidation, renumbering
and amendment of 71.07 (3w) (bm) (intro.) and 4., 71.28 (3w) (bm) (intro.) and 4., and 71.47 (3w) (bm) (intro.) and 4. of the statutes, the amendment of sections 71.07 (3w) (a) 6., (b) 1. a. and b., 2., 3., and 4., and (d), 71.28 (3w) (a) 6., (b) 1. a. and b., 2., 3., and 4., and (d) of the statutes, and the creation of sections 71.07 (3w) (a) 5m., 71.28 (3w) (a) 5m., 71.47 (3w) (a) 5m., and 560.799 (6) (e) and (f) of the statutes first apply to taxable years beginning on July 1, 2007.

(6j) INFORMATION TECHNOLOGY BONDS. The treatment of sections 71.05 (1) (c) 8., 71.26 (1m) (i), and 71.45 (1t) (i) of the statutes first applies to taxable years beginning on January 1, 2009.

(7) EARLY STAGE SEED AND ANGEL INVESTMENT CREDITS. The renumbering of sections 71.07 (5b) (d), 71.28 (5b) (d), and 71.47 (5b) (d) of the statutes, the amendment of sections 71.05 (6) (a) 15., 71.21 (4), 71.26 (2) (a), 71.34 (1) (g), 71.45 (2) (a) 10., and 77.92 (4) (as it relates to the early stage seed and angel investment credits) of the statutes, and the creation of sections 71.07 (5b) (d) 2. and (5d) (d) 4., 71.28 (5b) (d) 2., and 71.47 (5b) (d) 2. of the statutes first apply to taxable years beginning on January 1, 2007.

(7p) RETAIL SALES. The renumbering and amendment of section 77.51 (17) of the statutes, the amendment of sections 77.51 (4) (c) 1., 77.51 (12) (a), 77.982 (2), 77.991 (2), 77.9951 (2), and 77.9972 (2) of the statutes and the creation of sections 77.51 (13) (p), 77.51 (14) (m), 77.51 (14) (n), 77.51 (17) (a) to (e), 77.52 (1b), 77.52 (2n), and 77.53 (1b) of the statutes first apply retroactively to sales made on January 1, 2006.

(8) ADDITIONS TO FEDERAL ADJUSTED GROSS INCOME; NONRESIDENTS, PART-YEAR RESIDENTS. The treatment of section 71.05 (6) (a) 21., 22., and 23. of the statutes first
applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.05 (6) (a) 21., 22., and 23. of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(9) **Covenant not to compete.** The treatment of sections 71.02 (1) and 71.04 (1) (a) of the statutes first applies to taxable years beginning on January 1, 2007.

(10) **First dollar property tax credit.** The treatment of sections 20.835 (3) (b), 74.09 (3) (b) 6m. and 7., 79.10 (1m) (b), (5), (5m), (6m) (a), (7m) (c), (9) (bn) and (c) 3., and (11) (d) and 79.15 of the statutes, the renumbering and amendment of section 79.10 (2) of the statutes, and the creation of section 79.10 (2) (b) of the statutes first apply to property taxes levied in 2008.

(11q) **Exemption of incentive payments; all-terrain vehicles.** The treatment of sections 39.12 (5), 71.43 (1) and (2), 185.81, and 616.10 of the statutes and the renumbering and amendment of section 71.45 (1) of the statutes first apply to taxable years beginning on January 1, 2007.

(12) **Subtract modification for tuition expenses.** The treatment of section 71.05 (6) (b) 28. (intro.) and h. of the statutes first applies to taxable years beginning on January 1, 2007.

(13) **Dry cleaning fees.** The treatment of section 77.9961 (1m) of the statutes first applies to the 2nd quarterly payment that is due after the effective date of this subsection.

(15w) **Clay pigeons.** The treatment of section 77.54 (47) (b) 2. of the statutes (by **Section 2410d**) first applies retroactively to sales completed on July 1, 2007.

**SECTION 9342. Initial applicability; Secretary of State.**
SECTION 9343. Initial applicability; State Employment Relations, Office of.

SECTION 9344. Initial applicability; State Fair Park Board.

SECTION 9345. Initial applicability; Supreme Court.

SECTION 9346. Initial applicability; Technical College System.

(1) Fee remissions. The treatment of section 38.24 (7) (b) (intro.), 2., 2m., and 3. and (bm) and (8) (b) and (bm) of the statutes first applies to students enrolled in the 2007–08 academic year.

(2) Tuition exemption for aliens. The treatment of section 38.22 (6) (e) of the statutes first applies to persons who enroll for the semester or session following the effective date of this subsection.

(3k) Fire dues distribution. The treatment of section 20.292 (1) (gm) of the statutes first applies to the unencumbered balance in the appropriation at the end of the 2007–08 fiscal year.

SECTION 9347. Initial applicability; Tourism.

SECTION 9348. Initial applicability; Transportation.

SECTION 9349. Initial applicability; Treasurer.

SECTION 9350. Initial applicability; University of Wisconsin Hospitals and Clinics Authority.

(1f) New members. The treatment of section 233.02 (1) (a) of the statutes first applies to appointments made on the effective date of this subsection.

SECTION 9351. Initial applicability; University of Wisconsin Hospitals and Clinics Board.

(1f) New members. The treatment of section 15.96 (1) (a) of the statutes first applies to appointments made on the effective date of this subsection.
SECTION 9352. Initial applicability; University of Wisconsin System.

(1k) Tuition and fee remissions. The treatment of section 36.27 (3n) (b) 2., 2m.,
and 3. of the statutes first applies to students enrolled in the 2007-08 academic year.

(2) Tuition exemption for aliens. The treatment of section 36.27 (2) (cr) of the
statutes first applies to persons who enroll for the semester or session following the
effective date of this subsection.

(3) Application fees. The treatment of section 36.11 (3) (d) 1. and 2. of the
statutes first applies to applications received on the effective date of this subsection.

SECTION 9353. Initial applicability; Veterans Affairs.

SECTION 9354. Initial applicability; Workforce Development.

(2d) Payment by department of paternity vital records fee. The renumbering
of section 767.89 (2) of the statutes and the creation of section 767.89 (2) (b) of the
statutes first apply to reports filed with the state registrar on the effective date of this
subsection.

SECTION 9355. Initial applicability; other.

SECTION 9400. Effective dates; general. Except as otherwise provided in
Sections 9401 to 9455 of this act, this act takes effect on July 1, 2007, or on the day
after publication, whichever is later.

SECTION 9401. Effective dates; Administration.

(1k) Repeal of sentencing commission. The treatment of section 973.30 of the
statutes takes effect retroactively on July 1, 2007.

SECTION 9402. Effective dates; Aging and Long-Term Care Board.

SECTION 9403. Effective dates; Agriculture, Trade and Consumer
Protection.
(2c) INTERNATIONAL CRANE FOUNDATION FUNDING. The repeal of section 20.115
(7) (t) of the statutes takes effect on July 1, 2009.

SECTION 9403. Effective dates; Arts Board.

(1j) ONETIME GRANTS. The repeal of section 20.215 (1) (fm) of the statutes takes
effect on July 1, 2009.

SECTION 9404. Effective dates; Arts Board.

SECTION 9405. Effective dates; Building Commission.

(1q) MEMORIAL UNION THEATER WING RENOVATION. The enumeration under
SECTION 9105 (1) (j) of this act in the Authorized State Building Program of the project
designated as “Memorial Union theater wing renovation” takes effect on July 1,
2009.

SECTION 9406. Effective dates; Child Abuse and Neglect Prevention
Board.

SECTION 9407. Effective dates; Circuit Courts.

(1) DRUG ABUSE PROGRAM IMPROVEMENT SURCHARGE. The treatment of section
961.41 (5) (c) of the statutes takes effect on July 1, 2007.

SECTION 9408. Effective dates; Commerce.

(1i) SURPLUS TRANSFER; HOUSING GRANTS AND LOANS. The repeal of section 20.143
(2) (gm) of the statutes takes effect on June 30, 2009.

(2i) SURPLUS TRANSFER; SHELTER FOR HOMELESS AND TRANSITIONAL HOUSING
GRANTS. The repeal of section 20.143 (2) (L) of the statutes takes effect on June 30,
2009.

SECTION 9409. Effective dates; Corrections.

(1) SUPERVISION OF PERSONS ON SUPERVISED RELEASE. The renumbering of section
980.08 (9) of the statutes and the creation of section 980.08 (9) (b) of the statutes take
effect on July 1, 2007.
(2) GPS TRACKING. The treatment of sections 301.48 (1) (cm), (cn), (d), (dr), (e),
and (fm), (2) (a) (intro.), 1., 1m., 2., 2m., 3., 3m., 6., 7., and 8., (b) (intro.) and 2., and
(d), (2g), (2m), (3) (a) 1., (b), and (c), (4) (b), (7m), and (8) of the statutes takes effect
on July 1, 2007.

(2f) JUVENILE CORRECTIONAL SERVICES TRANSFER. The treatment of sections
20.410 (3) (hm) (by SECTION 324h) and 20.410 (3) (ho) (by SECTION 324k) of the
statutes takes effect on July 1, 2008.

SECTION 9410. Effective dates; Court of Appeals.

SECTION 9411. Effective dates; District Attorneys.

SECTION 9412. Effective dates; Educational Communications Board.

SECTION 9414. Effective dates; Employee Trust Funds.

(1) PAYMENT OF HEALTH INSURANCE PREMIUMS FOR STATE EMPLOYEES. The
treatment of section 40.05 (4) (a) 2. of the statutes takes effect on July 1, 2008.

SECTION 9415. Effective dates; Employment Relations Commission.

SECTION 9417. Effective dates; Financial Institutions.

SECTION 9418. Effective dates; Fox River Navigational System
Authority.

SECTION 9418m. Effective dates; Government Accountability Board.

(1t) CHILD SUPPORT INFORMATION. The treatment of section 5.05 (5s) (c) of the
statutes takes effect on the day after publication or on the initiation date specified
in 2007 Wisconsin Act 1, section 209 (1), whichever is later.

SECTION 9419. Effective dates; Governor.

SECTION 9420. Effective dates; Health and Educational Facilities
Authority.

SECTION 9421. Effective dates; Health and Family Services.
(1) FOSTER CARE RATES. The treatment of section 48.62 (4) of the statutes takes effect on January 1, 2008, or on the day after publication, whichever is later.

(2) MEDICAL ASSISTANCE ASSET TRANSFER CHANGES. The treatment of sections 49.45 (6m) (m), 49.453 (1) (a), (ar), (d), (e), (f) (intro.), 1., 2., and 2m., (fm), and (i), (3) (b) (intro.) and (bc), (4) (a), (ac), (am), (b), (c), (cm), (d), (e), and (em), (4c), and (4m), 49.47 (4) (a) (intro.), (b) 1., (bc), (bm), and (cr), 632.48 (3), 647.02 (2) (g), and 647.04 (5) of the statutes, the renumbering and amendment of section 49.453 (3) (a) and (8) and 647.05 of the statutes, the creation of section 49.453 (3) (a) 2. and (8) (b) and 647.05 (2m) of the statutes, and SECTION 9321 (2) (a), (b), and (c) of this act take effect on October 1, 2007, or on the first day of the 4th month beginning after publication, whichever is later.

(3) BACKGROUND CHECKS OF FOSTER AND ADOPTIVE HOMES AND CHILD ABUSE AND NEGLECT APPEALS. The treatment of sections 48.685 (1) (bg) and (d), (2) (b) 1. (intro.) and (c), (3) (a) and (b), (4m) (b) (intro.), and (5) (a) and (bm) (intro.), 48.88 (2) (am), and 48.981 (3) (c) 8. of the statutes and SECTION 9321 (5) of this act take effect on January 1, 2008.

(4) BADGERCARE PLUS. The treatment of sections 20.435 (4) (b) (by SECTION 383), (bm) (by SECTION 386), (bn) (by SECTION 388), (jw), (jz), and (o), 45.51 (13) (intro.), (a), and (b), 46.206 (1) (bm), 46.22 (1) (b) 1. d., 46.27 (6u) (c) 1. a. and (d) (intro.) and (7) (am) and (b), 46.275 (1m) (a), 46.277 (1m) (a), 46.278 (1m) (b), 46.283 (3) (k), 46.485 (3g), 48.57 (3m) (e) and (3n) (e), 49.22 (2m) (a), (b), and (c) 3. and (6) (by SECTION 1471), 49.45 (2) (a) 1. and 3. and (b) 3. and 7. (intro.), (3) (b) 1. and 2., (dm), (f) 2., (L) 2., and (m), (6c) (d) 1. and 2., (8) (a) 4., (9), (18) (ac) and (am), (24g), (29), (35), (42m) (a), (48), (49m) (c) 1., and (53), 49.468 (1) (b) and (c), (1m) (a), and (2) (a), 49.473 (2) (a), 49.49 (3m) (a) (intro.), 1., 2. (by SECTION 1633), and 3., 49.497 (title), (1r), and (4), 49.665
(4) (ap) 2. and (7) (a) 1., 49.688 (5) (a) (intro.), 49.785 (1) (intro.) and (1c), 49.81 (4),
49.82 (2) (b) 1. (by SECTION 1675) and 2. (by SECTION 1676), 49.89 (7) (b), 51.038, 51.04,
59.53 (5) (a) (by SECTION 1849), 66.0137 (3), 227.01 (13) (um), 253.10 (3) (d) 1., 302.38
(3), 302.386 (1), 449.17 (8), 632.746 (7m) b 1., 814.61 (13), and 885.01 (5) (by SECTION
3772) of the statutes and the amendment of sections 49.45 (18m) (a) 1. and 49.84 (6)
c 1. d. and e. of the statutes take effect on the date stated in the Wisconsin
Administrative Register by the department of health and family services under
section 49.471 (12) (b) of the statutes, as created by this act, as the implementation
date for BadgerCare Plus.

(7) LONG-TERM CARE DISTRICTS. The treatment of section 40.02 (28) (by SECTION
757) of the statutes takes effect on January 1, 2010.

(8c) REDUCING FETAL AND INFANT MORTALITY AND MORBIDITY. The repeal of section
20.435 (5) (eu) of the statutes takes effect on July 1, 2009.

(8q) FAMILY CARE COUNTY CONTRIBUTION AND FUNCTIONAL ELIGIBILITY. The
treatment of sections 46.281 (4), 46.286 (1) (a) 1., and 46.40 (9) (a) and (ag), 46.495
(1) (d) (by SECTION 1125m), and 51.423 (2) of the statutes take effect on January 1,
2008.

(8x) NURSING HOME BED ASSESSMENT. The treatment of section 50.14 (2) (am) of
the statutes takes effect on January 1, 2008.

(9u) HEALTH MAINTENANCE ORGANIZATION PAYMENTS TO HOSPITALS. The treatment
of section 49.45 (58) of the statutes takes effect on January 1, 2008.

(9w) VITAL RECORDS FEES. The treatment of sections 69.22 (1) (a) (by SECTION
1918h), 69.22 (1) (b) (by SECTION 1918j), 69.22 (1) (c) (by SECTION 1918L), 69.22 (1) (d)
(by SECTION 1918n), and 69.22 (1m) (by SECTION 1918q) of the statutes and the repeal
of section 69.22 (1p) of the statutes take effect on July 1, 2010.
SECTION 9422. Effective dates; Higher Educational Aids Board.

(1x) MINNESOTA-WISCONSIN STUDENT RECIPROcity AGREEMENT. The treatment of section 39.47 (1), (2), and (3) of the statutes takes effect retroactively to July 1, 2007.

SECTION 9423. Effective dates; Historical Society.

SECTION 9424. Effective dates; Housing and Economic Development Authority.

(1i) SURPLUS TRANSFER; HOUSING GRANTS AND LOANS. The treatment of section 234.165 (2) (c) (intro.) (by Section 3026) of the statutes and the repeal of section 234.165 (3) (a) of the statutes take effect on June 30, 2009.

(2i) SURPLUS TRANSFER; SHELTER FOR HOMELESS AND TRANSITIONAL HOUSING GRANTS. The repeal of section 234.165 (3) (b) of the statutes takes effect on June 30, 2009.

SECTION 9425. Effective dates; Insurance.

(2i) COVERAGE OF TREATMENT FOR AUTISM SPECTRUM DISORDERS. The treatment of sections 40.51 (8) and (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.981 (4t), 185.983 (1) (intro.), 609.87, and 632.895 (15) of the statutes and SECTION 9325 (1) of this act take effect on the first day of the 7th month beginning after publication.

SECTION 9426. Effective dates; Investment Board.

SECTION 9427. Effective dates; Joint Committee on Finance.

SECTION 9428. Effective dates; Judicial Commission.

SECTION 9429. Effective dates; Justice.

SECTION 9430. Effective dates; Legislature.

(1f) ELIMINATION OF REVISOR OF STATUTES BUREAU. The repeal of sections 13.55 (1) (a) 1. c., 13.92 (2) (g), 13.93 (intro.), (1m), and (2) (intro.), (a), (b), (f), (g), (i), and (k), 20.923 (4) (e) 6., 35.001 (3), and 227.01 (12) of the statutes, the renumbering of
sections 13.93 (2) (d) and (h) and (3) (a), (b), (c), and (cd) of the statutes, the
renumbering and amendment of sections 13.93 (1), (2) (c), (e), and (j), (2m), and (3)
(intro.) of the statutes, and the amendment of sections 10.53 (title), (1g), (1r), (2), and
(3), 13.55 (1) (a) 1. (intro.), 13.83 (1) c, 1., 2., and 3., and (g) 3., 13.90 (1) (intro.) and
(1m) (a), 13.92 (1) b 5., 16.971 (6), 20.003 (2), 20.004 (2), 20.765 (1) (d) and (3) (a)
and (g), 21.37, 35.05 (4), 35.15 (1) (b), 35.17, 35.18 (1), (2), and (3), 35.20, 35.23, 35.50
(2), 35.56 (1) (a) and (5), 35.91 (1), 35.93 (1), (3), (4), (6), and (8), 73.01 (4) (e) 2., 108.05
(2) (f), 108.10 (7) (b), 138.052 (5) (am) 2. b. and c., 227.114 (6), 227.135 (3), 227.14 (1),
(3), (4m), and (6) (c), 227.15 (1m) (e), (2) (intro.), and (7), 227.17 (1) (a), (b), and (bm),
227.19 (2), 227.20 (1), (2), and (3) (intro.), 227.21 (1), (2) (a) and (b), and (4), 227.22
(3), 227.24 (2) (c) and (3), 227.25, 227.27 (2), 285.14 (2), 285.23 (6), 758.13 (1) (a) 7.,
and 895.507 (7m) of the statutes take effect on December 31, 2007.

SECTION 9431. Effective dates; Lieutenant Governor.

SECTION 9432. Effective dates; Lower Wisconsin State Riverway Board.

SECTION 9433. Effective dates; Medical College of Wisconsin.

SECTION 9434. Effective dates; Military Affairs.

SECTION 9435. Effective dates; Natural Resources.

(1w) Southeastern Wisconsin Fox River Commission. The amendment of
section 20.370 (5) (cq) of the statutes (by SECTION 282f) takes effect on July 1, 2008.

(3q) Landowner Incentive Program. The treatment of sections 20.370 (1) (ms)
and (5) (cu) (by SECTION 282km), and (cv), and 23.33 (2j) (c) of the statutes takes effect
on July 1, 2008.

SECTION 9436. Effective dates; Public Defender Board.

(1) Representation in civil commitment, protective placement, and
involuntary medication cases. The treatment of sections 20.550 (1) (f), 51.15 (9),
51.20 (3) and (18) (c), 51.35 (1) (e) 1. and 2. c., 51.45 (12) (b) (intro.), 1., 2., and 3. and (c) 2., 51.45 (13) (b) 2., (d), and (j) and (16) (c), 51.60, 51.605, 55.10 (4) (a), 55.105, 55.107, 55.135 (1), 55.14 (7), 55.15 (7) (cm), 55.18 (3) (c) (intro.), 55.19 (3) (c) (intro.), 809.30 (2) (d), 814.69 (1) (a), 967.06 (1), (2) (a) and (b), and (3), 977.05 (4) (gm), (h), and (i) 8., 977.06 (2) (a) and (am), 977.07 (1) (a) and (c), 977.075 (1g), (3), (3m), and (4), 977.08 (1) and (2) (intro.) and (d), and 977.085 (3) of the statutes and SECTION 9336 (1) of this act take effect on July 1, 2008.

SECTION 9437. Effective dates; Public Instruction.

(1i) ONE−TIME GRANTS. The repeal of section 20.255 (3) (a) of the statutes takes effect on July 1, 2009.

SECTION 9438. Effective dates; Public Lands, Board of Commissioners of.

SECTION 9439. Effective dates; Public Service Commission.

SECTION 9440. Effective dates; Regulation and Licensing.

(2t) CHANGE OF FEE DETERMINATION METHOD FOR INITIAL CREDENTIALS, RECIPROCAL CREDENTIALS, AND RENEWAL OF CREDENTIALS. The treatment of sections 440.03 (14) (a) 1. c., 2. c., and 3. c., 440.03 (14) (am) and (c), 440.05 (1) (a), 440.05 (2), 440.08 (2) (a) (intro.), 1. to 27m., 29. to 71., and 72. (by SECTION 3465s) and (c) and (3) (a), 440.26 (3) and (5m) (a) 4. and (b), 440.42 (1) (c), 440.43 (1) (c), 440.44 (1) (c), 440.62 (2) (a), 440.63 (2), 440.71 (2) (a) and (3), 440.88 (4), 440.91 (1) (b) 2. and (c) 1. (2) (intro.), and (4), 440.92 (1) (b) 2. and (c), 440.966 (1), 440.972 (2), 440.98 (6), 440.982 (1m) (b), 440.983 (1), 440.992 (1), 440.9935, 441.06 (3), 441.10 (3) (b), 441.15 (3) (a) 2. and (b) (by SECTION 3503b), 442.08 (1) and (2) (intro.), 442.083, 442.09, 443.07 (6), 443.08 (3) (a) and (b), 443.10 (2) (b) and (e) and (5), 445.04 (2), 445.06, 445.105 (3), 446.02 (4), 447.05, 448.07 (2), 448.55 (2), 448.65 (2) (a), 448.86 (2), 448.955 (2) (intro.), 448.967
(2), 449.06 (1), 450.06 (2) (c), 450.065 (2) (d), 450.07 (1), 450.071 (3) (a) (by SECTION 3530eg), 450.08 (2) (a) and (b), 451.04 (4), 452.025 (1) (c) and (5) (b), 452.10 (3), 452.12 (2) (c), (5) (a) and (6), (e) 1. and 2., 453.062 (1), 454.06 (1) (a) and (8), 454.08 (3) and (9), 455.06, 455.07 (2), 456.07 (2), 457.20 (3) (a), 458.11, 459.09 (1) (a), 459.24 (5) (a), 460.07 (2) (a), 470.045 (3) (a), 470.045 (3) (b), 470.07 and 480.08 (3) (b) and (5) of the statutes takes effect on July 1, 2009.

SECTION 9441. Effective dates; Revenue.

(1) Home exchange service sales.

(a) The creation of section 77.54 (54) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(b) The repeal and recreation of section 77.54 (54) of the statutes takes effect on January 1, 2008.

(2) Withholding tax on nonresident members of pass-through entities. The treatment of sections 71.775 (3) (a) 2. and 3. and (4) (b) 2., (d), and (f), and 71.83 (1) (a) 1. of the statutes takes effect retroactively on January 1, 2006.

(2j) Products powered by alternate resources. The treatment of section 77.54 (56) (by SECTION 2419c) of the statutes takes effect on July 1, 2009.

(3j) Delinquent taxpayer internet posting. The treatment of section 73.03 (62) of the statutes takes effect on the first day of the 3rd month beginning after publication.

(3q) Cemetery sales and use tax exemption. The treatment of section 77.54 (9a) (i) of the statutes takes effect on July 1, 2009.

(4) Implementing the streamlined sales and use tax agreement. The repeal of sections 20.435 (3) (bm), 46.513, 77.51 (4), 77.51 (14) (d), 77.51 (14) (i), 77.51 (14) (k), 77.51 (14) (L), 77.51 (14r), 77.51 (15), 77.52 (2) (a) 5. b., 77.52 (3m), 77.52 (3n),
77.52 (6), 77.52 (14) (a) 2., 77.523 (title), 77.53 (4), 77.54 (14g), 77.54 (14s), 77.54 (20),
77.54 (20m), 77.54 (22), 77.54 (40), 77.61 (3), 77.65 (2) (c), 77.72 (title), 77.72 (2) and
(3) and 77.77 (2) of the statutes, the renumbering of sections 77.51 (6m), 77.51 (14)
(g), 77.524 (1) (a) and 77.54 (48) (b) of the statutes, the renumbering and amendment
of sections 77.51 (1), 77.51 (21m), 77.52 (1), 77.523, 77.524 (1) (b), 77.53 (9m), 77.53
(11), 77.54 (48) (a), 77.61 (2), 77.72 (1) and 77.77 (1) of the statutes, the consolidation,
renumbering and amendment of sections 77.52 (14) (a) (intro.) and 1. and (b) of the
statutes, the amendment of sections 66.0615 (1m) (f) 2., 70.111 (23), 71.07 (5e) (b),
71.07 (5e) (c) 1., 71.07 (5e) (c) 3., 71.28 (5e) (b), 71.28 (5e) (c) 1., 71.28 (5e) (c) 3., 71.47
(5e) (b), 71.47 (5e) (c) 1., 71.47 (5e) (c) 3., 73.03 (50) (d), 76.07 (4g) (b) 8., 77.51 (5),
77.51 (9) (a), 77.51 (9) (am), 77.51 (10), 77.51 (12) (b), 77.51 (13) (a), 77.51 (13) (b),
77.51 (13) (c), 77.51 (13) (d), 77.51 (13) (e), 77.51 (13) (f), 77.51 (13) (k), 77.51 (13) (m),
77.51 (13) (n), 77.51 (13) (o), 77.51 (13g) (intro.), (a), and (b), 77.51 (13r), 77.51 (14)
(intro.), 77.51 (14) (a), 77.51 (14) (b), 77.51 (14) (c), 77.51 (14) (h), 77.51 (14) (j), 77.51
(14g) (a), 77.51 (14g) (b), 77.51 (14g) (bm), 77.51 (14g) (c), 77.51 (14g) (cm), 77.51 (14g)
(d), 77.51 (14g) (e), 77.51 (14g) (em), 77.51 (14g) (f), 77.51 (14g) (g), 77.51 (14g) (h),
77.51 (17) (intro.), 77.51 (18), 77.51 (20), 77.51 (21), 77.51 (22) (a), 77.51 (22) (b), 77.52
(2) (intro.), 77.52 (2) (a) 5. a. (by SECTION 2291c), 7.52 (2) (a) 5m., 77.52 (2) (a) 10.,
77.52 (2) (a) 11., 77.52 (2m) (a), 77.52 (2m) (b), 77.52 (4), 77.52 (7), 77.52 (12), 77.52
(13), 77.52 (15), 77.52 (16), 77.52 (19), 77.525, 77.53 (1), 77.53 (2), 77.53 (3), 77.53 (9),
77.53 (10), 77.53 (12), 77.53 (14), 77.53 (15), 77.53 (16), 77.53 (17), 77.53 (17m), 77.53
(17r) (a), 77.53 (18), 77.54 (1), 77.54 (2), 77.54 (2m), 77.54 (3) (a), 77.54 (3m) (intro.),
77.54 (4), 77.54 (5) (intro.), 77.54 (6) (intro.), 77.54 (7m), 77.54 (8), 77.54 (9), 77.54 (9a)
(intro.), 77.54 (10), 77.54 (11), 77.54 (12), 77.54 (13), 77.54 (14) (intro.), 77.54 (14) (a),
77.54 (14) (b), 77.54 (14) (f) (intro.), 77.54 (15), 77.54 (16), 77.54 (17), 77.54 (18), 77.54
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(21), 77.54 (23m) (by SECTION 2382), 77.54 (25), 77.54 (26), 77.54 (26m), 77.54 (27),
77.54 (28), 77.54 (29), 77.54 (30) (a) (intro.), 77.54 (30) (c), 77.54 (31), 77.54 (32), 77.54
(33), 77.54 (35), 77.54 (36), 77.54 (37), 77.54 (38), 77.54 (39), 77.54 (41), 77.54 (42),
77.54 (43), 77.54 (44), 77.54 (45), 77.54 (46), 77.54 (46m), 77.54 (47) (intro.), 77.54 (47)
(b) 1., 77.54 (47) (b) 2. (by SECTION 2410e), 77.54 (49), 77.55 (1) (intro.), 77.55 (2), 77.55
(2m), 77.55 (3), 77.55 (1), 77.57, 77.58 (3) (a), 77.58 (3) (b), 77.58 (6), 77.59 (5m), 77.59
(9), 77.61 (1) (b), 77.61 (1) (c), 77.61 (4) (a), 77.61 (4) (c), 77.61 (11), 77.65 (2) (a), 77.65
(2) (e), 77.65 (2) (f), 77.66, 77.70, 77.705, 77.706, 77.707 (1), 77.707 (2), 77.71 (1), 77.71
(2), 77.71 (3), 77.71 (4), 77.73 (2), 77.75, 77.785 (1), 77.785 (2), 77.98, 77.981, 77.99,
77.994 (1) (intro.), 77.9941 (4), 77.996 (6), 86.195 (3) (b) 3., 218.0171 (2) (cq), 229.68
(15), and 229.824 (15) of the statutes, the repeal and recreation of sections 77.51 (7),
77.51 (12) (a), 77.51 (17m), 77.52 (1b), 77.52 (2n), 77.53 (1b), 77.54 (56), 77.63, 77.982
(2), 77.991 (2), 77.995 (2), 77.9951 (2), and 77.9972 (2) of the statutes, and the
creation of sections 20.566 (1) (ho), 73.03 (28e), 73.03 (50b), 73.03 (61), 77.51 (1b),
77.51 (1ba), 77.51 (1bd), 77.51 (1f), 77.51 (1fm), 77.51 (1n), 77.51 (1p), 77.51 (1r),
77.51 (2k), 77.51 (2m), 77.51 (3c), 77.51 (3n), 77.51 (3pd), 77.51 (3pe), 77.51 (3pf),
77.51 (3pj), 77.51 (3pm), 77.51 (3pn), 77.51 (3po), 77.51 (3pq), 77.51 (3rm), 77.51 (3t),
77.51 (5d), 77.51 (5n), 77.51 (5r), 77.51 (7g), 77.51 (7k), 77.51 (7m), 77.51 (8m), 77.51
(9p), 77.51 (9s), 77.51 (10d), 77.51 (10f), 77.51 (10m), 77.51 (10n), 77.51 (10r), 77.51
(10s), 77.51 (11d), 77.51 (11m), 77.51 (12m), 77.51 (12p), 77.51 (13g) (c), 77.51 (13rn),
77.51 (15a), 77.51 (15b), 77.51 (17w), 77.51 (21n), 77.51 (21p), 77.51 (22) (bm), 77.51
(24), 77.51 (25), 77.51 (26), 77.52 (1) (b), 77.52 (1) (c), 77.52 (2) (a) 5. am., 77.52 (2)
(a) 5. c., 77.52 (2) (a) 13m., 77.52 (7b), 77.52 (14) (am), 77.52 (20), 77.52 (21), 77.52
(22), 77.52 (23), 77.524 (1) (ag), 77.53 (9m) (b), 77.53 (9m) (c), 77.53 (11) (b), 77.54
(20n), 77.54 (20r), 77.54 (22b), 77.54 (51), 77.54 (52), 77.58 (6m), 77.58 (9a), 77.585,
77.59 (2m), 77.59 (9n), 77.59 (9p) (b), 77.59 (9r), 77.60 (13), 77.61 (2) (b), 77.61 (3m),
77.61 (5m), 77.61 (16), 77.61 (17), 77.65 (4) (fm), 77.67, 77.73 (3) and 77.77 (1) (b) of
the statutes take effect on January 1, 2010.

(4f) **Biomass used for fuel.** The treatment of section 77.54 (30) (a) 1m. of the
statutes takes effect on the first day of the 2nd month beginning after publication.

(4q) **Retail sales.** The renumbering and amendment of section 77.51 (17) of
the statutes, the amendment of sections 77.51 (4) (c) 1., 77.51 (12) (a), 77.982 (2),
77.991 (2), 77.9951 (2), and 77.9972 (2) of the statutes and the creation of sections
77.51 (13) (p), 77.51 (14) (m), 77.51 (14) (n), 77.51 (17) (a) to (e), 77.52 (1b), 77.52 (2n),
and 77.53 (1b) of the statutes take effect retroactively to January 1, 2006.

(5) **Withholding from lottery prize payments.** The treatment of section 565.30
(5) (by Section 3649) of the statutes takes effect on the first day of the 3rd month
beginning after publication.

(5f) **Clay pigeons.** The treatment of section 77.54 (47) (b) 2. of the statutes (by
Section 2410d) takes effect retroactively on July 1, 2007.

(6) **Cigarette and tobacco products tax rates.** The treatment of sections
139.31 (1) (a) and (b), 139.315 (1), 139.32 (5), 139.76 (1) and 139.78 (1), of the statutes
takes effect on September 1, 2007, or on the first day of the 3rd month beginning after
publication, whichever is later.

(9) **Property assessment manual costs.** The treatment of section 20.566 (2) (hi)
of the statutes takes effect on July 1, 2009.

(11) **Catalog sales and use tax exemption.** The treatment of sections 77.51 (1j)
and 77.54 (25) and (25m) of the statutes and the repeal and recreation of section 77.52
(2) (a) 11. of the statutes take effect on April 1, 2009.

**Section 9442.** Effective dates; Secretary of State.
SECTION 9443. Effective dates; State Employment Relations, Office of.

SECTION 9444. Effective dates; State Fair Park Board.

SECTION 9445. Effective dates; Supreme Court.

SECTION 9446. Effective dates; Technical College System.

SECTION 9447. Effective dates; Tourism.

SECTION 9448. Effective dates; Transportation.

(8) SUPPLEMENTAL TITLE FEE INCREASE. The treatment of section 342.14 (3m) of the statutes takes effect on October 1, 2007, or on the day after publication, whichever is later.

(12f) SUPPLEMENTAL TITLE FEE TRANSFER. The treatment of sections 20.855 (4) (f) and 85.037 of the statutes takes effect on July 1, 2008.

SECTION 9449. Effective dates; Treasurer.

SECTION 9450. Effective dates; University of Wisconsin Hospitals and Clinics Authority.

SECTION 9451. Effective dates; University of Wisconsin Hospitals and Clinics Board.

(1f) NEW MEMBERS. The repeal and recreation of section 15.07 (4) of the statutes takes effect on the initiation date specified in 2007 Wisconsin Act 1, section 209 (1), or on the day after publication, whichever is later.

SECTION 9452. Effective dates; University of Wisconsin System.

SECTION 9453. Effective dates; Veterans Affairs.

SECTION 9454. Effective dates; Workforce Development.

(2) FEE PAID BY CHILD SUPPORT PAYEE. The treatment of sections 20.445 (3) (ja) (by SECTION 455) and 767.57 (1e) (title), (a) (by SECTION 3734), and (c) (by SECTION 3737) of the statutes takes effect on January 1, 2008.
(3k) **Grant to Racine YWCA.** The repeal of section 20.445 (3) (e) of the statutes takes effect on July 1, 2008.

(3p) **Rеinstаtement of Federal Child Support Incentive Payment Matching Funds.** The treatment of sections 20.445 (3) (k) (by Section 460d) and 49.24 (1) (by Section 1474d) and (2) (b) (intro.) (by Section 1475d) and (dm) of the statutes and the repeal of section 20.445 (3) (b) of the statutes take effect on whichever of the following dates is later:

(a) The date that is the later of the following:


2. The day after publication.

(b) The date stated in the notice in the Wisconsin Administrative Register under section 49.24 (4) of the statutes, as created by this act.

(4f) **Wisconsin Works Grants for Pregnant Women.** The treatment of sections 49.148 (1m) (title), (b), and (c) (intro.) and 3. and 49.159 (4) of the statutes, the renumbering and amendment of section 49.148 (1m) (a) of the statutes, and the creation of section 49.148 (1m) (a) (intro.) and 2. of the statutes take effect on January 1, 2008.

(5k) **Grant to Racine County Workforce Development Board.** The repeal of section 20.445 (1) (fr) of the statutes takes effect on July 1, 2008.

**SECTION 9455. Effective dates; other.**

(2) **Creation of Department of Children and Families.** The repeal of sections 13.83 (4) (a) 9., 20.435 (3) (fp), 20.435 (3) (m), 20.435 (3) (ma), 20.435 (3) (mb), 20.435 (3) (mc), 20.435 (3) (md), 20.435 (3) (n), 20.435 (3) (na), 20.435 (3) (nL), 46.03 (7) (c), 46.03 (7) (e), 46.03 (29), 46.16 (2), 46.16 (2m), 46.16 (2s), 46.515 (1) (a), 46.515 (1) (c), 46.766, 48.985 (5), 103.005 (17) and 103.005 (18) of the statutes, and the
renumbering of sections 15.195 (4) (a), 15.195 (4) (b), 15.195 (4) (c), 15.195 (4) (d),
15.195 (4) (dg), 15.195 (4) (e), 15.195 (4) (em), 15.195 (4) (f), 15.195 (4) (fm), 15.195
(4) (g), 15.197 (24) (a) 1., 15.197 (24) (a) 2., 15.197 (24) (a) 3., 15.197 (24) (a) 4., 15.197
(24) (a) 5., 15.197 (24) (a) 6., 15.197 (24) (a) 7., 15.197 (24) (b), 15.197 (24) (c), 20.435
(3) (title), 20.435 (3) (cf), 20.435 (3) (cw), 20.435 (3) (cx), 20.435 (3) (da), 20.435 (3) (dd),
20.435 (3) (dg), 20.435 (3) (gx), 20.435 (3) (i), 20.435 (3) (jb), 20.435 (3) (jj), 20.435 (3)
(jm), 20.435 (3) (kw), 20.435 (3) (kx), 20.435 (3) (ky), 20.435 (3) (kz), 20.435 (3) (mw),
20.435 (3) (mx), 20.435 (3) (pm), 20.445 (3) (title), 20.445 (3) (a), 20.445 (3) (b), 20.445
(3) (cm), 20.445 (3) (cr), 20.445 (3) (dz), 20.445 (3) (i), 20.445 (3) (ja), 20.445 (3) (jb),
20.445 (3) (jL), 20.445 (3) (k), 20.445 (3) (kp), 20.445 (3) (kk), 20.445 (3) (L), 20.445
(3) (ma), 20.445 (3) (me), 20.445 (3) (n), 20.445 (3) (na), 20.445 (3) (nL), 20.445 (3) (pz),
20.445 (3) (q), 20.445 (3) (qm), 20.445 (3) (s), 46.023, 46.03 (7) (cm), 46.03 (7) (d), 46.03
(7) (f), 46.03 (7) (h), 46.03 (39), 46.22 (1) (b) 1. f., 46.261 (title), 46.261 (1), 46.261 (2)
(title), 46.261 (2) (a) (intro.), 46.261 (2) (b), 46.261 (3), 46.30 (title), 46.30 (1), 46.30
(2), 46.30 (3) (title), 46.30 (3) (a) (intro.), 46.30 (3) (a) 1., 46.30 (3) (a) 2., 46.30 (3) (a)
3., 46.30 (3) (a) 4., 46.30 (3) (a) 5., 46.30 (3) (a) 6., 46.30 (3) (a) 7., 46.30 (3) (b), 46.30
(4) (title), 46.30 (4) (b), 46.30 (4) (c), 46.30 (4) (d), 46.30 (5), 46.45 (2) (b), 46.481 (1)
(title), 46.481 (1) (b), 46.481 (2), 46.481 (3), 46.51 (title), 46.51 (3), 46.51 (4), 46.51 (5),
46.515 (title), 46.515 (1) (intro.), 46.515 (1) (b) (intro.), 46.515 (1) (b) 1. (intro.), 46.515
(1) (b) 1. a., 46.515 (1) (b) 1. b., 46.515 (1) (b) 2., 46.515 (1) (cm), 46.515 (1) (d), 46.515
(1) (e), 46.515 (1) (f), 46.515 (1) (g), 46.515 (1) (h), 46.515 (1) (i), 46.515 (1) (j), 46.515
(3), 46.515 (4), 46.515 (6) (intro.), 46.515 (6) (a), 46.515 (6) (b), 46.515 (6) (c), 46.515
(6) (d) (title), 46.515 (6) (d) 1., 46.515 (6) (e), 46.515 (6g), 46.515 (6r), 46.515 (7), 46.515
(8), 46.75 (title), 46.75 (1), 46.75 (2) (title), 46.75 (2) (b), 46.75 (3), 46.76 (intro.), 46.76
(1), 46.76 (2), 46.76 (4), 46.76 (5), 46.95 (title), 46.95 (1), 46.95 (2) (title), 46.95 (2) (b),
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655.30 (5) (by SECTION 3650), 628.095 (4) (a), 628.095 (5), 628.097 (1m), 628.10 (2) (c), 632.68 (2) (b) 3m., 632.68 (2) (bc) 1., 632.68 (2) (bm) 1., 632.68 (2) (e), 632.68 (3) (b) 1., 632.68 (4) (b), 632.68 (4) (bc) 1., 632.68 (4) (bm) 1., 632.68 (4) (c), 632.68 (5) (b) 1., 632.897 (10) (am) 2., 633.14 (1) (e), 633.14 (2c) (a), 633.14 (2m) (a), 633.15 (1m), 633.15 (2) (c), 701.06 (5) (intro.), 751.15 (1), 751.15 (2), 751.15 (3), 767.001 (1d), 767.001 (2) (b), 767.205 (2) (a) 3., 767.205 (2) (a) 4., 767.217 (1), 767.407 1., 767.41 (3) (a) (by SECTION 3727), 767.451 (7) (by SECTION 3730), 767.521 (intro.), 767.55 (3) (a) 2., 767.57 (1e) (a) (by SECTION 3735), 767.57 (1e) (b) 1m., 767.57 (1e) (c), 767.57 (1m) (c), 767.57 (2), 767.57 (4), 767.59 (1c) (a) (intro.), 767.59 (1f) (b) 4., 767.59 (2) (c), 767.59 (2s), 767.87 (2m), 767.87 (6) (a), 769.201 (7), 769.31 (1), 809.105 (13), 813.12 (5) (b), 813.122 (6) (b), 814.75 (22m), 814.76 (15m), 814.80 (11), 859.07 (2) (a) (intro.), 859.07 (2) (a) 2., 859.15, 885.01 (5) (by SECTION 3771), 895.45 (1) (a), 895.4803, 895.485 (4) (a), 905.15 (1), 938.02 (6), 938.02 (7), 938.02 (17), 938.06 (1) (b), 938.06 (4), 938.22 (1) (a), 938.22 (2) (a), 938.22 (7) (a), 938.22 (7) (b), 938.30 (6) (b), 938.31 (7) (b), 938.355 (2b), 938.357 (4) (a), 938.357 (4) (b) 2., 938.357 (4) (c) 1., 938.357 (4) (c) 2., 938.357 (5m) (a), 938.36 (1) (b), 938.363 (1) (c), 938.396 (2g) (b), 938.538 (6), 938.547 (2), 938.548, 938.57 (3) (a) (intro.), 938.57 (3) (a) 3., 938.57 (3) (b), 938.78 (2) (h), 948.22 (4) (b), 948.31 (1) (a) 2., 973.05 (2m) (r), 973.055 (3), 977.06 (4) (bm), 978.05 (4m) and 995.67 (1) (a) of the statutes, and the creation of sections 13.83 (3) (f) 2m., 13.83 (4) (am), 15.20, 15.205 (title), 15.207 (title), 20.437 (intro.), 20.437 (1) (b), 20.437 (1) (gg), 20.437 (1) (m), 20.437 (1) (ma), 20.437 (1) (mb), 20.437 (1) (mc), 20.437 (1) (md), 20.437 (1) (n), 20.437 (1) (na), 20.437 (1) (nL), 20.437 (1) (o), 20.437 (2), 20.437 (3), 20.923 (4) (f) 2d., 46.10 (14) (g), 48.01 (1) (h), 48.02 (16), 48.468, 48.47 (intro.), 48.47 (3), 48.47 (4), 48.47 (7) (title), 48.48 (2b), 48.48 (4), 48.48 (17) (am), 48.48 (18), 48.563, 48.565, 48.567, 48.568, 48.569, 48.576, 48.578, 48.743,
49.27, 49.273, 49.32 (1) (am), 49.32 (2) (d), 49.32 (11m), 49.34 (5m) (em), 49.345, 49.852 (1c), 49.855 (2r), 49.857 (1) (cf), 49.858 (1) (a), 49.86 (1), 230.08 (2) (e) 2m. and 301.46 (4) (a) 10m. and Sections 9121 (5) (a), (c), (d), (e), (em), and (f) and (6), 9130 (2c) (b), 9154 (1) (a), (c), (d), (e), (f), and (g), and 9155 (1m) of this act take effect on July 1, 2008.

(4f) AIDS FOR CERTAIN LOCAL PURCHASES AND PROJECTS. The repeal of sections 16.40 (24) and 20.855 (4) (fs) of the statutes takes effect on July 1, 2009.

(9u) Dane County Early Childhood Initiatives. The amendment of section 20.437 (1) (bc) of the statutes takes effect on July 1, 2009.