



1 **SECTION 2508.** 250.10 (intro.) of the statutes is repealed.

2 **SECTION 2509.** 250.10 (1) of the statutes is renumbered 250.10 (1m) (a) and
3 amended to read:

4 250.10 (1m) (a) ~~The department shall provide~~ Provide funding in each fiscal
5 year to the Marquette University School of Dentistry for clinical education of
6 Marquette University School of Dentistry students through the provision of dental
7 services by the students and faculty of the Marquette University School of Dentistry
8 in underserved areas and to underserved populations in the state, as determined by
9 the department in conjunction with the Marquette University School of Dentistry;
10 to inmates of correctional centers in Milwaukee County; and in clinics in the city of
11 Milwaukee.

12 **SECTION 2510.** 250.10 (1m) (intro.) of the statutes is created to read:

13 250.10 (1m) (intro.) The department shall do all of the following:

14 **SECTION 2511.** 250.10 (2) of the statutes is renumbered 250.10 (1m) (b) and
15 amended to read:

16 250.10 (1m) (b) ~~The department shall distribute~~ Award in each fiscal year to
17 qualified applicants grants totaling \$25,000 for fluoride supplements, \$25,000 for a
18 fluoride mouth-rinse program, and \$120,000 for a school-based dental sealant
19 program.

20 **SECTION 2512.** 250.15 (2) (intro.) of the statutes is created to read:

21 250.15 (2) (intro.) From the appropriation account under s. 20.435 (1) (fh), the
22 department shall, in each fiscal year, award all of the following as grants:

23 **SECTION 2513.** 250.15 (2) (a) of the statutes is amended to read:

1 250.15 (2) (a) ~~From the appropriation under s. 20.435 (5) (fh), the department~~
2 ~~shall award \$50,000 in each fiscal year as a grant to~~ To a community health center
3 in a 1st class city, \$50,000.

4 **SECTION 2514.** 250.15 (2) (b) of the statutes is amended to read:

5 250.15 (2) (b) ~~From the appropriation under s. 20.435 (5) (fh), the department~~
6 ~~shall award grants in each fiscal year to~~ To community health centers that receive
7 federal grants under 42 USC 254b (e), (g) or (h). Each grant shall equal the amount
8 that results from multiplying the total amount available for grants under this
9 paragraph in the fiscal year in which the grants are to be awarded by the quotient
10 obtained by dividing the amount that the community health center received under
11 42 USC 254b (e), (g) or (h) in the most recently concluded federal fiscal year in which
12 those grants were made by the total amount of federal grants under 42 USC 254b (e),
13 (g) and (h) made in that federal fiscal year to community health centers in this state.

14 **SECTION 2515.** 250.15 (2) (c) of the statutes is amended to read:

15 250.15 (2) (c) ~~From the appropriation under s. 20.435 (5) (fh), the department~~
16 ~~shall award \$50,000 in each fiscal year as a grant to~~ To HealthNet of Janesville, Inc.,
17 \$50,000.

18 **SECTION 2516.** 250.16 (1) of the statutes is amended to read:

19 250.16 (1) ~~The~~ From the appropriation account under s. 20.435 (1) (gi), the
20 ~~department shall enter into an agreement with the Wisconsin Women's Health~~
21 ~~Foundation, Inc., to make payments from the appropriation under s. 20.435 (5) (fi)~~
22 ~~to the Wisconsin Women's Health Foundation, Inc., to be used by the Wisconsin~~
23 ~~Women's Health Foundation, Inc., to fund its efforts to provide women's health~~
24 ~~outreach and education programs and support for women's health research that~~
25 ~~improves the quality of life for women and families in this state.~~

1 **SECTION 2517.** 250.17 (1) of the statutes is amended to read:

2 250.17 (1) ~~The From the appropriation account under s. 20.435 (1) (g), the~~
3 department shall ~~enter into an agreement with Donate Life Wisconsin to make~~
4 ~~payments from the appropriation under s. 20.435 (5) (g) to Donate Life Wisconsin,~~
5 ~~to be used to fund its efforts~~ to encourage organ and tissue donation by providing
6 educational programs, promoting or advancing research and patient services, and,
7 at its the discretion of Donate Life Wisconsin, distributing portions of these
8 payments to any other organ and tissue procurement and donation organization in
9 this state that is exempt from taxation under section 501 (a) of the Internal Revenue
10 Code, to be used for these same purposes.

11 **SECTION 2518.** 250.20 (3) of the statutes is amended to read:

12 250.20 (3) From the appropriation account under s. 20.435 (5) (1) (kb), the
13 department shall annually award grants for activities to improve the health status
14 of economically disadvantaged minority group members. A person may apply, in the
15 manner specified by the department, for a grant of up to \$50,000 in each fiscal year
16 to conduct these activities. An awardee of a grant under this subsection shall
17 provide, for at least 50% of the grant amount, matching funds that may consist of
18 funding or an in-kind contribution. An applicant that is not a federally qualified
19 health center, as defined under 42 CFR 405.2401 (b) shall receive priority for grants
20 awarded under this subsection.

21 **SECTION 2519.** 250.20 (4) of the statutes is amended to read:

22 250.20 (4) From the appropriation account under s. 20.435 (5) (1) (kb), the
23 department shall award a grant of up to \$50,000 in each fiscal year to a private
24 nonprofit corporation that applies, in the manner specified by the department, to
25 conduct a public information campaign on minority health.

1 **SECTION 2520.** 250.20 (5) (intro.) of the statutes is amended to read:

2 250.20 **(5)** AMERICAN INDIAN HEALTH PROJECT GRANTS. (intro.) From the
3 appropriation under s. 20.435 ~~(5)~~ (1) (ke), the department shall award grants for
4 American Indian health projects in order to address specific problem areas in the
5 field of American Indian health. A tribe, tribal agency, or inter-tribal organization
6 may apply, in the manner specified by the department, for a grant of up to \$10,000
7 to conduct an American Indian health project that is designed to do any of the
8 following:

9 **SECTION 2520d.** 250.20 (6) of the statutes is created to read:

10 250.20 **(6)** AMERICAN INDIAN DIABETES PREVENTION AND CONTROL. From the
11 appropriation under s. 20.435 (1) (kf), the department shall fund activities to prevent
12 and control diabetes among American Indians.

13 **SECTION 2521n.** 252.05 (1) of the statutes is amended to read:

14 252.05 **(1)** Any health care provider, as defined in s. 146.81 (1) (a) to (p), who
15 knows or has reason to believe that a person treated or visited by him or her has a
16 communicable disease, or having a communicable disease, has died, shall report the
17 appearance of the communicable disease or the death to the local health officer. The
18 health agency of a federally recognized American Indian tribe or band may report
19 this information to the local health officer. The local health officer shall report this
20 information to the department or shall direct the person reporting to report to the
21 department. Any person directed to report shall submit this information to the
22 department.

23 **SECTION 2523d.** 252.07 (12) of the statutes is created to read:

1 252.07 (12) From the appropriation account under s. 20.435 (1) (e), the
2 department may expend not more than \$81,100 annually to fund targeted
3 prevention activities for populations at high risk for tuberculosis infection.

4 **SECTION 2524.** 252.10 (6) (g) of the statutes is amended to read:

5 252.10 (6) (g) The reimbursement by the state under pars. (a) and (b) shall
6 apply only to funds that the department allocates for the reimbursement under the
7 appropriation account under s. 20.435 (5) (1) (e).

8 **SECTION 2525.** 252.10 (7) of the statutes is amended to read:

9 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
10 shall be purchased by the department from the appropriation account under s.
11 20.435 (5) (1) (e) and dispensed to patients through the public health dispensaries,
12 local health departments, physicians or advanced practice nurse prescribers.

13 **SECTION 2526.** 252.12 (2) (a) (intro.) of the statutes is amended to read:

14 252.12 (2) (a) *HIV and related infections, including hepatitis C virus infections;*
15 *services.* (intro.) From the ~~appropriations~~ appropriation accounts under s. 20.435
16 (1) (a) and (5) (am), the department shall distribute funds for the provision of services
17 to individuals with or at risk of contracting HIV infection, as follows:

18 **SECTION 2527.** 252.12 (2) (a) 8. (intro.) of the statutes is amended to read:

19 252.12 (2) (a) 8. 'Mike Johnson life care and early intervention services grants.'
20 (intro.) The department shall award not more than ~~\$2,969,900 in fiscal year 2007-08~~
21 ~~and not more than \$3,569,900 in fiscal year 2008-09~~ and each fiscal year thereafter
22 in grants to applying organizations for the provision of needs assessments;
23 assistance in procuring financial, medical, legal, social and pastoral services;
24 counseling and therapy; homecare services and supplies; advocacy; and case
25 management services. These services shall include early intervention services. The

1 department shall also award not more than \$74,000 in each year from the
2 appropriation account under s. 20.435 ~~(7)~~ (5) (md) for the services under this
3 subdivision. The state share of payment for case management services that are
4 provided under s. 49.45 (25) (be) to recipients of medical assistance shall be paid from
5 the appropriation account under s. 20.435 ~~(5)~~ (1) (am). All of the following apply to
6 grants awarded under this subdivision:

7 **SECTION 2528.** 252.12 (2) (c) 1. (intro.) of the statutes is amended to read:

8 252.12 **(2)** (c) 1. (intro.) From the appropriation account under s. 20.435 ~~(5)~~ (1)
9 (md), the department shall award to applying nonprofit corporations or public
10 agencies up to \$75,000 in each fiscal year, on a competitive basis, as grants for
11 services to prevent HIV. Criteria for award of the grants shall include all of the
12 following:

13 **SECTION 2529.** 252.12 (2) (c) 2. of the statutes is amended to read:

14 252.12 **(2)** (c) 2. From the appropriation account under s. 20.435 ~~(5)~~ (1) (am),
15 the department shall award \$75,000 in each fiscal year as grants for services to
16 prevent HIV infection and related infections, including hepatitis C virus infection.
17 Criteria for award of the grants shall include the criteria specified under subd. 1. The
18 department shall award 60% of the funding to applying organizations that receive
19 funding under par. (a) 8. and 40% of the funding to applying community-based
20 organizations that are operated by minority group members, as defined in s. 560.036
21 (1) (f).

22 **SECTION 2530.** 252.12 (2) (c) 3. of the statutes is amended to read:

23 252.12 **(2)** (c) 3. From the appropriation account under s. 20.435 ~~(5)~~ (1) (am),
24 the department shall award to the African American AIDS task force of the Black

1 Health Coalition of Wisconsin, Inc., \$25,000 in each fiscal year as grants for services
2 to prevent HIV infection and related infections, including hepatitis C infection.

3 **SECTION 2530r.** 252.15 (1) (ar) 1. of the statutes is amended to read:

4 252.15 (1) (ar) 1. A person or entity that is specified in s. 146.81 (1) (a) to (p),
5 but does not include a massage therapist or bodyworker issued a certificate under
6 ch. 460.

7 **SECTION 2531.** 252.15 (5) (a) 19. of the statutes is amended to read:

8 252.15 (5) (a) 19. If the test was administered to a child who has been placed
9 in a foster home, ~~treatment foster home~~, group home, residential care center for
10 children and youth, or juvenile correctional facility, as defined in s. 938.02 (10p),
11 including a placement under s. 48.205, 48.21, 938.205, or 938.21, or for whom
12 placement in a foster home, ~~treatment foster home~~, group home, residential care
13 center for children and youth, or juvenile correctional facility is recommended under
14 s. 48.33 (4), 48.425 (1) (g), 48.837 (4) (c), or 938.33 (3) or (4), to an agency directed by
15 a court to prepare a court report under s. 48.33 (1), 48.424 (4) (b), 48.425 (3), 48.831
16 (2), 48.837 (4) (c), or 938.33 (1), to an agency responsible for preparing a court report
17 under s. 48.365 (2g), 48.425 (1), 48.831 (2), 48.837 (4) (c), or 938.365 (2g), to an agency
18 responsible for preparing a permanency plan under s. 48.355 (2e), 48.38, 48.43 (1)
19 (c) or (5) (c), 48.63 (4) or (5) (c), 48.831 (4) (e), 938.355 (2e), or 938.38 regarding the
20 child, or to an agency that placed the child or arranged for the placement of the child
21 in any of those placements and, by any of those agencies, to any other of those
22 agencies and, by the agency that placed the child or arranged for the placement of
23 the child in any of those placements, to the child's foster parent or ~~treatment foster~~
24 ~~parent~~ or the operator of the group home, residential care center for children and

1 youth, or juvenile correctional facility in which the child is placed, as provided in s.
2 48.371 or 938.371.

3 **SECTION 2532.** 252.16 (1) (ar) of the statutes is amended to read:

4 252.16 (1) (ar) "Dependent" means a spouse or domestic partner under ch. 770,
5 an unmarried child under the age of 19 years, an unmarried child who is a full-time
6 student under the age of 21 years and who is financially dependent upon the parent,
7 or an unmarried child of any age who is medically certified as disabled and who is
8 dependent upon the parent.

9 **SECTION 2533.** 252.16 (2) of the statutes is amended to read:

10 252.16 (2) SUBSIDY PROGRAM. From the appropriation account under s. 20.435
11 ~~(5)~~ (1) (am), the department shall distribute funding in each fiscal year to subsidize
12 the premium costs under s. 252.17 (2) and, under this subsection, the premium costs
13 for health insurance coverage available to an individual who has HIV infection and
14 who is unable to continue his or her employment or must reduce his or her hours
15 because of an illness or medical condition arising from or related to HIV infection.

16 **SECTION 2534.** 252.16 (4) (b) of the statutes is amended to read:

17 252.16 (4) (b) The obligation of the department to make payments under this
18 section is subject to the availability of funds in the appropriation account under s.
19 20.435 ~~(5)~~ (1) (am).

20 **SECTION 2535.** 252.17 (2) of the statutes is amended to read:

21 252.17 (2) SUBSIDY PROGRAM. The department shall establish and administer
22 a program to subsidize, ~~from the appropriation under s. 20.435 (5) (am)~~, as provided
23 in s. 252.16 (2), the premium costs for coverage under a group health plan that are
24 paid by an individual who has HIV infection and who is on unpaid medical leave from

1 his or her employment because of an illness or medical condition arising from or
2 related to HIV infection.

3 **SECTION 2536.** 252.17 (3) (d) of the statutes is amended to read:

4 252.17 (3) (d) Is covered under a group health plan through his or her
5 employment and pays part or all of the premium for that coverage, including any
6 premium for coverage of the individual's spouse or domestic partner under ch. 770
7 and dependents.

8 **SECTION 2537.** 252.17 (4) (a) of the statutes is amended to read:

9 252.17 (4) (a) Except as provided in pars. (b), (c), and (d), if an individual
10 satisfies sub. (3), the department shall pay the amount of each premium payment for
11 coverage under the group health plan under sub. (3) (d) that is due from the
12 individual on or after the date on which the individual becomes eligible for a subsidy
13 under sub. (3). The department may not refuse to pay the full amount of the
14 individual's contribution to each premium payment because the coverage that is
15 provided to the individual who satisfies sub. (3) includes coverage of the individual's
16 spouse or domestic partner under ch. 770 and dependents. Except as provided in par.
17 (b), the department shall terminate the payments under this section when the
18 individual's unpaid medical leave ends, when the individual no longer satisfies sub.
19 (3) or upon the expiration of 29 months after the unpaid medical leave began,
20 whichever occurs first.

21 **SECTION 2538.** 252.17 (4) (b) of the statutes is amended to read:

22 252.17 (4) (b) The obligation of the department to make payments under this
23 section is subject to the availability of funds in the appropriation account under s.
24 20.435 ~~(5)~~ (1) (am).

25 **SECTION 2539.** 252.17 (4) (d) of the statutes is amended to read:

1 252.17 (4) (d) For an individual who satisfies sub. (3) and who has a family
2 income, as defined by rule under sub. (6) (a), that exceeds 200% but does not exceed
3 300% of the federal poverty line, as defined under 42 USC 9902 (2), for a family the
4 size of the individual's family, the department shall pay a portion of the amount of
5 each premium payment for the individual's coverage under the group health plan
6 under sub. (3) (d). The portion that the department pays shall be determined
7 according to a schedule established by the department by rule under sub. (6) (c). The
8 department shall pay the portion of the premium determined according to the
9 schedule regardless of whether the individual's coverage under the group health
10 plan under sub. (3) (d) includes coverage of the individual's spouse or domestic
11 partner under ch. 770 and dependents.

12 **SECTION 2540.** 253.07 (4) (intro.) of the statutes is amended to read:

13 253.07 (4) FAMILY PLANNING SERVICES. (intro.) From the appropriation account
14 under s. 20.435 (5) (1) (f), the department shall ~~allocate~~ distribute funds in the
15 following amounts, for the following services:

16 **SECTION 2541.** 253.08 of the statutes is amended to read:

17 **253.08 Pregnancy counseling services.** The department shall ~~make~~ award
18 grants from the appropriation account under s. 20.435 (5) (1) (eg) to individuals and
19 organizations to provide pregnancy counseling services. For a program to be eligible
20 under this section, an applicant must demonstrate that moneys provided in a grant
21 under ~~s. 20.435 (5) (eg)~~ this section will not be used to engage in any activity specified
22 in s. 20.9275 (2) (a) 1. to 3.

23 **SECTION 2542.** 253.085 (2) of the statutes is amended to read:

24 253.085 (2) In addition to the amounts appropriated under s. 20.435 (5) (1) (ev),
25 the department shall ~~allocate~~ distribute \$250,000 for each fiscal year from moneys

1 received under the maternal and child health services block grant program, 42 USC
2 701 to 709, for the outreach program under this section.

3 **SECTION 2543.** 253.10 (3) (c) 2. c. of the statutes is amended to read:

4 253.10 (3) (c) 2. c. That the woman has a legal right to continue her pregnancy
5 and to keep the child; to place the child in a foster home ~~or treatment foster home~~ for
6 6 months or to petition a court for placement of the child in a foster home, ~~treatment~~
7 ~~foster home~~ or group home or with a relative; or to place the child for adoption under
8 a process that involves court approval both of the voluntary termination of parental
9 rights and of the adoption.

10 **SECTION 2545d.** 253.12 (7) of the statutes is created to read:

11 253.12 (7) FUNDING. From the appropriation account under s. 20.435 (1) (gm),
12 the department shall allocate \$95,000 annually for the birth defect prevention and
13 surveillance system under this section.

14 **SECTION 2546.** 253.13 (2) of the statutes is amended to read:

15 253.13 (2) TESTS; DIAGNOSTIC, DIETARY AND FOLLOW-UP COUNSELING PROGRAM;
16 FEES. The department shall contract with the state laboratory of hygiene to perform
17 the tests specified under this section and to furnish materials for use in the tests.
18 The department shall provide necessary diagnostic services, special dietary
19 treatment as prescribed by a physician for a patient with a congenital disorder as
20 identified by tests under sub. (1) or (1m) and follow-up counseling for the patient and
21 his or her family. The state laboratory of hygiene board, on behalf of the department,
22 shall impose a fee for tests performed under this section sufficient to pay for services
23 provided under the contract. The state laboratory of hygiene board shall include as
24 part of this fee amounts the department determines are sufficient to fund the
25 provision of diagnostic and counseling services, special dietary treatment, and

1 periodic evaluation of infant screening programs, the costs of consulting with experts
2 under sub. (5), and the costs of administering the congenital disorder program under
3 this section and shall credit these amounts to the ~~appropriations~~ appropriation
4 accounts under s. 20.435 (1) (ja) and (jb) ~~and (5) (ja)~~.

5 **SECTION 2547.** 253.15 (2) of the statutes is amended to read:

6 253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or
7 arrange with a nonprofit organization to prepare printed and audiovisual materials
8 relating to shaken baby syndrome and impacted babies. The materials shall include
9 information regarding the identification and prevention of shaken baby syndrome
10 and impacted babies, the grave effects of shaking or throwing on an infant or young
11 child, appropriate ways to manage crying, fussing, or other causes that can lead a
12 person to shake or throw an infant or young child, and a discussion of ways to reduce
13 the risks that can lead a person to shake or throw an infant or young child. The
14 materials shall be prepared in English, Spanish, and other languages spoken by a
15 significant number of state residents, as determined by the board. The board shall
16 make those written and audiovisual materials available to all hospitals, maternity
17 homes, and nurse-midwives licensed under s. 441.15 that are required to provide or
18 make available materials to parents under sub. (3) (a) 1., to the department and to
19 all county departments and nonprofit organizations that are required to provide the
20 materials to day care providers under sub. (4), and to all school boards and nonprofit
21 organizations that are permitted to provide the materials to pupils in one of grades
22 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make those
23 written materials available to all county departments and Indian tribes that are
24 providing home visitation services under s. 48.983 (4) (b) 1. ~~or 2.~~ and to all providers
25 of prenatal, postpartum, and young child care coordination services under s. 49.45

1 (44). The board may make available the materials required under this subsection
2 to be made available by making those materials available at no charge on the board's
3 Internet site.

4 **SECTION 2548d.** 253.15 (4) of the statutes is amended to read:

5 253.15 (4) TRAINING FOR DAY CARE PROVIDERS. Before an individual may obtain
6 a license to operate a day care center under s. 48.65 for the care and supervision of
7 children under 5 years of age or enter into a contract to provide a day care program
8 under s. 120.13 (14) for the care and supervision of children under 5 years of age, the
9 individual shall receive training relating to shaken baby syndrome and impacted
10 babies that is approved or provided by the department or that is provided by a
11 nonprofit organization arranged by the department to provide that training. Before
12 an individual may be certified under s. 48.651 as a day care provider of children
13 under 5 years of age, the individual shall receive training relating to shaken baby
14 syndrome and impacted babies that is approved or provided by the certifying
15 department in a county having a population of 500,000 or more, county department,
16 or agency contracted with under s. 48.651 (2) or that is provided by a nonprofit
17 organization arranged by that department, county department, or contracted agency
18 to provide that training. Before an employee or volunteer of a day care center
19 licensed under s. 48.65, a day care provider certified under s. 48.651, or a day care
20 program established under s. 120.13 (14) may provide care and supervision for
21 children under 5 years of age, the employee or volunteer shall receive training
22 relating to shaken baby syndrome and impacted babies that is approved or provided
23 by the department or the certifying county department or agency contracted with
24 under s. 48.651 (2) or that is provided by a nonprofit organization arranged by the
25 department or that county department or contracted agency to provide that training.

1 The person conducting the training shall provide to the individual receiving the
2 training, without cost to the individual, a copy of the written materials purchased
3 or prepared under sub. (2), a presentation of the audiovisual materials purchased or
4 prepared under sub. (2), and an oral explanation of those written and audiovisual
5 materials.

6 **SECTION 2549.** 253.15 (6) of the statutes is amended to read:

7 253.15 (6) INFORMATION TO HOME VISITATION OR CARE COORDINATION SERVICES
8 RECIPIENTS. A county department or Indian tribe that is providing home visitation
9 services under s. 48.983 (4) (b) 1. ~~or 2.~~ and a provider of prenatal, postpartum, and
10 young child care coordination services under s. 49.45 (44) shall provide to a recipient
11 of those services, without cost, a copy of the written materials purchased or prepared
12 under sub. (2) and an oral explanation of those materials.

13 **SECTION 2550.** 253.15 (7) (e) of the statutes is amended to read:

14 253.15 (7) (e) A county department or Indian tribe that is providing home
15 visitation services under s. 48.983 (4) (b) 1. ~~or 2.~~ and a provider of prenatal,
16 postpartum, and young child care coordination services under s. 49.45 (44) is
17 immune from liability for any damages resulting from any good faith act or omission
18 in providing or failing to provide the written materials and oral explanation specified
19 in sub. (6).

20 **SECTION 2550d.** 253.16 (2m) of the statutes is created to read:

21 253.16 (2m) (a) At least 90 percent of the moneys awarded under sub. (2) and
22 distributed under 2009 Wisconsin Act (this act), section 9122 (5v) (j), shall be used
23 for direct services provided to families participating in the program under sub. (2).

24 (b) The moneys referenced in par. (a) may be used as the state share of Medical
25 Assistance for case management services provided under s. 49.45 (25).

1 **SECTION 2550f.** 253.16 (3) (f) of the statutes is created to read:

2 253.16 (3) (f) Maximize and leverage additional resources, including the
3 maximum allowable Medical Assistance reimbursement for services provided under
4 the program under sub. (2).

5 **SECTION 2550h.** 253.16 (5) of the statutes is created to read:

6 253.16 (5) The department shall do all of the following:

7 (a) Work with the city and the city health department by providing oversight
8 and approval of the program under sub. (2).

9 (b) Explore ways to maximize the use of federally qualified health centers for
10 the program under sub. (2).

11 **SECTION 2551.** 254.151 (intro.) of the statutes is amended to read:

12 **254.151 Lead poisoning or lead exposure prevention grants.** (intro.)
13 From the appropriation account under s. 20.435 ~~(5)~~ (1) (ef), the department shall
14 award the following grants under criteria that the department shall establish in
15 rules promulgated under this section:

16 **SECTION 2552.** 254.34 (1) (h) 5. of the statutes is amended to read:

17 254.34 (1) (h) 5. Develop standards of performance for the regional radon
18 centers and, from the appropriation account under s. 20.435 ~~(5)~~ (1) (ed), ~~allocate~~
19 distribute funds based on compliance with the standards to provide radon protection
20 information dissemination from the regional radon centers.

21 **SECTION 2552g.** 254.47 (7) of the statutes is created to read:

22 254.47 (7) The department may not require that a swimming pool be staffed
23 by a lifeguard as a condition of receiving a permit under this section if the swimming
24 pool is less than 2,500 square feet, the swimming pool is located in a private club in

1 the city of Milwaukee, and the club has a policy that prohibits a minor from using
2 the swimming pool when not accompanied by an adult.

3 **SECTION 2553.** 255.01 (2m) of the statutes is created to read:

4 255.01 (2m) "Research" means a systematic investigation through scientific
5 inquiry, including development, testing, and evaluation, that is designed to develop
6 or contribute to generalizable knowledge.

7 **SECTION 2554.** 255.01 (2n) of the statutes is created to read:

8 255.01 (2n) "Researcher" means a person who performs research.

9 **SECTION 2555.** 255.04 (3) (c) of the statutes is created to read:

10 255.04 (3) (c) A researcher who proposes to conduct research, if all of the
11 following conditions are met:

12 1. The researcher applies in writing to the department for approval of access
13 to individually identifiable information under sub. (1) or (5) that is necessary for
14 performance of the proposed research, and the department approves the application.

15 An application under this subdivision shall include all of the following:

16 a. A written protocol to perform research.

17 b. The researcher's professional qualifications to perform the proposed
18 research.

19 c. Documentation of approval of the research protocol by an institutional
20 review board of a domestic institution that has a federalwide assurance approved by
21 the office for human research protections of the federal department of health and
22 human services.

23 d. Any other information requested by the department.

24 2. The proposed research is for the purpose of studying cancer, cancer
25 prevention, or cancer control.



1 **SECTION 2556.** 255.04 (6) of the statutes is created to read:

2 255.04 (6) The department may charge a reasonable fee for disclosing
3 information to a researcher under sub. (3) (c).

4 **SECTION 2557.** 255.04 (7) of the statutes is created to read:

5 255.04 (7) Information obtained by the department under sub. (1) or (5) or
6 obtained by a person under sub. (3) (c) is not subject to inspection, copying, or receipt
7 under s. 19.35 (1).

8 **SECTION 2558.** 255.04 (8) of the statutes is created to read:

9 255.04 (8) No person to whom information is disclosed under sub. (3) (c) may
10 do any of the following:

11 (a) Use the information for a purpose other than for the performance of
12 research as specified in the application under sub. (3) (c) 1., as approved by the
13 department.

14 (b) Disclose the information to a person who is not connected with performance
15 of the research.

16 (c) Reveal in the final research product information that may identify an
17 individual whose information is disclosed under sub. (3) (c).

18 **SECTION 2559.** 255.04 (9) of the statutes is created to read:

19 255.04 (9) Whoever violates sub. (8) (a), (b), or (c) is liable to the subject of the
20 information for actual damages and costs, plus exemplary damages of up to \$1,000
21 for a negligent violation and up to \$5,000 for an intentional violation.

22 **SECTION 2560.** 255.04 (10) of the statutes is created to read:

23 255.04 (10) (a) Whoever intentionally violates sub. (8) (a), (b), or (c) may be
24 fined not more than \$15,000 or imprisoned for not more than one year in the county
25 jail or both.

1 (b) Any person who violates sub. (8) (a), (b), or (c) may be required to forfeit not
2 more than \$100 for each violation. Each day of continued violation constitutes a
3 separate offense, except that no day in the period between the date on which a
4 request for a hearing is filed under s. 227.44 and the date of the conclusion of all
5 administrative and judicial proceedings arising out of a decision under this
6 paragraph constitutes a violation.

7 (c) The department may directly assess forfeitures under par. (b). If the
8 department determines that a forfeiture should be assessed for a particular violation
9 or for failure to correct the violation, the department shall send a notice of
10 assessment to the alleged violator. The notice shall specify the alleged violation of
11 the statute and the amount of the forfeiture assessed and shall inform the alleged
12 violator of the right to contest the assessment under s. 227.44.

13 **SECTION 2561.** 255.05 (2) of the statutes is amended to read:

14 255.05 (2) From the appropriation account under s. 20.435 ~~(5)~~ (1) (cc), the
15 department shall ~~allocate~~ award up to \$400,000 in each fiscal year ~~to provide as~~
16 grants to applying individuals, institutions or organizations for the conduct of
17 projects on cancer control and prevention. Funds shall be awarded on a matching
18 basis, under which, for each grant awarded, the department shall provide 50%, and
19 the grantee 50%, of the total grant funding.

20 **SECTION 2562.** 255.06 (2) (intro.) of the statutes is amended to read:

21 255.06 (2) (intro.) From the appropriation account under s. 20.435 ~~(5)~~ (1) (cb),
22 the department shall administer a well-woman program to provide reimbursement
23 for health care screenings, referrals, follow-ups, case management, and patient
24 education provided to low-income, underinsured, and uninsured women.
25 Reimbursement to service providers under this section shall be at the rate of

1 reimbursement for identical services provided under medicare, except that, if
2 projected costs under this section exceed the amounts appropriated under s. 20.435
3 ~~(5)~~ (1) (cb), the department shall modify services or reimbursement accordingly.
4 Within this limitation, the department shall implement the well-woman program to
5 do all of the following:

6 **SECTION 2563.** 255.15 (3) (b) (intro.) of the statutes is amended to read:

7 255.15 **(3)** (b) (intro.) From the appropriation account under s. 20.435 ~~(5)~~ (1)
8 (fm), the department may ~~distribute~~ award grants for any of the following:

9 **SECTION 2564.** 255.15 (3) (bm) of the statutes is amended to read:

10 255.15 **(3)** (bm) From the appropriation account under s. 20.435 ~~(5)~~ (1) (fm), the
11 department shall distribute \$96,000 annually for programs to discourage use of
12 smokeless tobacco.

13 **SECTION 2567.** 255.35 (3) (a) of the statutes is amended to read:

14 255.35 **(3)** (a) The department shall implement a statewide poison control
15 system, which shall provide poison control services that are available statewide, on
16 a 24-hour per day and 365-day per year basis and shall provide poison information
17 and education to health care professionals and the public. From the appropriation
18 account under s. 20.435 ~~(5)~~ (1) (ds), the department shall, if the requirement under
19 par. (b) is met, distribute total funding of not more than \$425,000 in each fiscal year
20 to supplement the operation of the system and to provide for the statewide collection
21 and reporting of poison control data. The department may, but need not, distribute
22 all of the funds in each fiscal year to a single poison control center.

23 **SECTION 2568.** 256.04 (8) of the statutes is amended to read:

24 256.04 **(8)** Review the annual budget prepared by the department for the
25 expenditures under s. 20.435 ~~(5)~~ (1) (ch).

1 **SECTION 2570.** 256.12 (2m) (a) of the statutes is amended to read:

2 256.12 **(2m)** (a) The department shall contract with a physician to direct the
3 state emergency medical services program. The department may expend from the
4 funding under the federal preventive health services project grant program under
5 42 USC 2476 under the appropriation account under s. 20.435 (1) (mc), \$25,000 in
6 each fiscal year for this purpose.

7 **SECTION 2571.** 256.12 (4) (a) of the statutes is amended to read:

8 256.12 **(4)** (a) From the appropriation account under s. 20.435 ~~(5)~~ (1) (ch), the
9 department shall annually distribute funds for ambulance service vehicles or vehicle
10 equipment, emergency medical services supplies or equipment or emergency
11 medical training for personnel to an ambulance service provider that is a public
12 agency, a volunteer fire department or a nonprofit corporation, under a funding
13 formula consisting of an identical base amount for each ambulance service provider
14 plus a supplemental amount based on the population of the ambulance service
15 provider's primary service or contract area, as established under s. 256.15 (5).

16 **SECTION 2572.** 256.12 (5) (a) of the statutes is amended to read:

17 256.12 **(5)** (a) From the appropriation account under s. 20.435 ~~(5)~~ (1) (ch), the
18 department shall annually distribute funds to ambulance service providers that are
19 public agencies, volunteer fire departments, or nonprofit corporations to purchase
20 the training required for licensure and renewal of licensure as an emergency medical
21 technician - basic under s. 256.15 (6), and to pay for administration of the
22 examination required for licensure or renewal of licensure as an emergency medical
23 technician - basic under s. 256.15 (6) (a) 3. and (b) 1.

24 **SECTION 2572g.** 256.15 (12) (a) of the statutes is amended to read:

1 256.15 (12) (a) All records made by an ambulance service provider, an
2 emergency medical technician or a first responder in administering emergency care
3 procedures to and handling and transporting sick, disabled or injured individuals
4 shall be maintained as confidential patient health care records subject to ~~ss. 146.81~~
5 ~~to 146.84 and, if applicable, s. 252.15 (5) (a) (intro.), (6), (8) and (9).~~ For the purposes
6 of this paragraph, ~~an ambulance service provider, an emergency medical technician~~
7 ~~or a first responder shall be considered to be a health care provider under s. 146.81~~
8 ~~(1), if applicable.~~ Nothing in this paragraph or ss. 146.81 to 146.84 permits
9 disclosure to an ambulance service provider, an emergency medical technician or a
10 first responder under s. 252.15 (5) (a), except under s. 252.15 (5) (a) 11.

11 **SECTION 2572h.** 256.15 (12) (b) of the statutes is amended to read:

12 256.15 (12) (b) ~~Notwithstanding par. (a)~~ Notwithstanding s. 146.82, an
13 ambulance service provider, who is an authority, as defined in s. 19.32 (1), may make
14 available, to any requester, information contained on a record of an ambulance run
15 which identifies the ambulance service provider and emergency medical technicians
16 involved; date of the call; dispatch and response times of the ambulance; reason for
17 the dispatch; location to which the ambulance was dispatched; destination, if any, to
18 which the patient was transported by ambulance; and name, age and gender of the
19 patient. No information disclosed under this paragraph may contain details of the
20 medical history, condition or emergency treatment of any patient.

21 **SECTION 2572hb.** 256.35 (1) (cs) of the statutes is created to read:

22 256.35 (1) (cs) "Communications provider" means a person that provides active
23 voice or nonvoice communications service that is capable of accessing a public safety
24 answering point.

25 **SECTION 2572he.** 256.35 (1) (ee) of the statutes is created to read:

1 256.35 (1) (ee) "Enhanced 911 service" means delivering 911 calls with
2 automatic number identification and automatic location identification to an
3 appropriate public safety answering point by selective routing based on the
4 geographical location from which the call originated and providing either a specific
5 street address or information defining the approximate geographic location, in
6 accordance with orders promulgated by the federal communications commission.

7 **SECTION 2572hh.** 256.35 (1) (gm) of the statutes is amended to read:

8 256.35 (1) (gm) "Public safety answering point" means a facility to which a call
9 on a basic or sophisticated system is initially routed for response, and on which a
10 public agency directly dispatches the appropriate emergency service provider, relays
11 a message to the appropriate emergency service provider or transfers the call to the
12 appropriate emergency services provider. "Public safety answering point" includes
13 a wireless public safety answering point, as defined in sub. (3m) (a) 7.

14 **SECTION 2572hL.** 256.35 (3) of the statutes is repealed.

15 **SECTION 2572ho.** 256.35 (3g) of the statutes is created to read:

16 256.35 (3g) ENHANCED 911 GRANTS. (a) *Surcharges.* 1. 'In general.' Except as
17 provided in subd. 2., each communications provider shall impose on subscriber bills
18 a monthly surcharge of 75 cents, subject to any adjustment under subd. 3. A
19 communications provider may list the surcharge separately from other charges on
20 a subscriber's bill. Any partial payment of a surcharge by a subscriber shall be
21 applied first to any amount the subscriber owes the communications provider for
22 communications service.

23 2. 'Prepaid wireless.' a. A communications provider that offers prepaid
24 wireless service, or a seller that offers prepaid wireless service on behalf of a
25 communications provider, shall impose a surcharge equal to one-half of the

1 surcharge required under subd. 1., as adjusted under subd. 3., on subscribers with
2 respect to each retail transaction for prepaid wireless service that occurs in this
3 state. The communications provider or seller may state the amount of the surcharge
4 separately on an invoice, receipt, or similar document provided to a subscriber, or
5 may otherwise disclose the surcharge to the subscriber. The surcharge is the liability
6 of the subscriber, and not of the communications provider or seller, except that a
7 communications provider or seller is liable to remit all surcharges that the
8 communications provider or seller collects from subscribers, including all such
9 surcharges that the communications provider or seller is considered to collect where
10 the amount of the surcharge is not separately stated on an invoice, receipt, or other
11 similar document provided to the subscriber by the communications provider or
12 seller.

13 b. The commission shall promulgate rules exempting from the surcharge
14 required under subd. 2. a. a transaction that is not considered to be a sale at retail
15 under subch. III of ch. 77.

16 c. For purposes of subd. 2. a., a retail transaction effected in person by a
17 subscriber at a business location of the communications provider occurs in this state
18 if the business location is in this state and any other retail transaction occurs in this
19 state if the location of the retail transaction is in this state as determined under s.
20 77.522.

21 d. Except for the surcharge authorized under this subdivision, no local
22 government or state agency, as defined in s. 560.9810 (1), may impose a fee with
23 respect to prepaid wireless on any communications provider, seller, or consumer, for
24 the purpose of funding wireless emergency telephone service.

1 e. The commission shall promulgate rules establishing requirements and
2 procedures for auditing sellers to determine compliance with this subdivision,
3 including requirements and procedures for appealing determinations of the
4 commission. To the extent practicable, the rules shall incorporate the audit and
5 appeal provisions under ss. 77.59 and 77.61.

6 3. 'Adjustments.' a. Annually, the commission shall adjust the amount of the
7 surcharge required under subd. 1. to reflect any change in the U.S. consumer price
8 index for the midwest region as determined by the U.S. department of labor during
9 the period beginning on August 31 of the year that is 2 years before the commission's
10 adjustment and ending on August 31 of the year before the commission's adjustment.

11 b. The commission shall annually monitor the revenues, including interest,
12 generated by the surcharges remitted under subd. 4. a. If the commission determines
13 that the surcharges generate revenue in excess of the amount required for grants
14 under par. (d), the commission shall reduce the amount of the surcharge required
15 under subd. 1., but only if the reduction ensures full cost recovery for grant recipients
16 over a reasonable period. If the commission determines that the surcharges remitted
17 under subd. 4. a. generate revenue that is less than the amount required for grants
18 under par. (d), the commission shall increase the surcharge required under subd. 1.
19 by an amount that ensures full cost recovery for grant recipients over a reasonable
20 period, except that, in a year, the commission may not increase the surcharge by an
21 amount greater than an increase allowed for that year under subd. 3. a.

22 c. No later than October 1 of each year the commission shall notify
23 communications providers and sellers who offer prepaid wireless on behalf of
24 communications providers of any adjustment to the surcharge required under subd.
25 1., and the adjustment shall be effective on January 1 of the following year.

1 4. 'Collection and remittance.' a. A communications provider or seller that
2 offers prepaid wireless on behalf of a communication provider shall remit surcharges
3 to the commission no later than the end of the month following the month that the
4 provider or seller collects the surcharges from subscribers, except that a
5 communications provider may deduct and retain from the remittance an
6 administrative allowance equal to \$50, or 1 percent of the surcharges collected from
7 subscribers, whichever is greater. The commission may require that
8 communications providers and sellers report the amount of uncollected surcharges
9 on an annual basis, or less frequently as determined by the commission. The
10 commission may require that a communications provider or seller provide the
11 commission with the name, address, and telephone number of a subscriber who
12 refuses to pay a surcharge. The commission shall deposit all remittances under this
13 subd. 4. a. into the 911 fund.

14 b. A communications provider or seller has no obligation to take any legal
15 action to enforce the collection of the surcharge billed to a subscriber. The
16 commission may initiate a collection action against a subscriber for an unpaid
17 surcharge, and recover reasonable costs and, notwithstanding s. 814.04 (1), attorney
18 fees associated with the action.

19 (b) *Grant applications; communications providers.* A communications provider
20 may apply to the commission for grants for reimbursement of actual, commercially
21 reasonable costs incurred in complying with the requirements for enhanced 911
22 service, including the costs incurred for designing, upgrading, purchasing, leasing,
23 programming, installing, testing, or maintaining all necessary data, hardware, and
24 software required to provide enhanced 911 service, and the recurring and

1 nonrecurring costs of providing enhanced 911 service. An application shall include
2 invoices for the costs for which reimbursement is claimed.

3 (c) *Grant applications; local governments.* 1. A local government that operates
4 a wireless public safety answering point that was in operation on November 30, 2008,
5 and that was identified in a resolution adopted under sub. (3m) (c) 3., and a local
6 government designated under subd. 2., may apply to the commission for grants if the
7 local government submits annual applications to the commission that identify the
8 expenses eligible for reimbursement under subd. 3., list the invoices for
9 reimbursement that are related to compliance with enhanced 911 service
10 requirements, and include the costs of landline 911 trunks and charges for public
11 safety answering points in the same county as the local government.

12 2. If enhanced 911 service was not available in a county on November 30, 2008,
13 and the county designates one local government in the county, or the county itself,
14 as the operator of the primary public safety answering point for the county, the local
15 government or county so designated is eligible for grants under subd. 1. The
16 commission shall promulgate rules establishing requirements and procedures for a
17 county to make a designation under this subdivision.

18 3. Expenses that are eligible for reimbursement under subd. 1. are the actual
19 costs incurred by a public safety answering point in complying with the requirements
20 of enhanced 911 service, including costs incurred for designing, upgrading,
21 purchasing, leasing, programming, installing, testing, or maintaining all necessary
22 data, hardware, and software required to provide enhanced 911 service; the
23 recurring and nonrecurring costs of providing enhanced 911 service; and the costs
24 associated with training public safety answering point personnel.

1 (d) *Payment of grants.* From the appropriation account under s. 20.155 (3) (r),
2 the commission shall award grants to communications providers and local
3 governments who submit applications under pars. (b) and (c) for reimbursement of
4 costs that the commission determines are eligible for reimbursement. If the total
5 amount of invoices for cost reimbursement that are submitted to the commission and
6 approved for payment in a month exceeds the amount available from the 911 fund
7 for reimbursement, the commission shall proportionately reduce the amount
8 payable to each communications provider and local government so that the amount
9 paid in grants does not exceed the amount available from the 911 fund, and the
10 commission shall defer awarding grants for the balance due to each communications
11 provider and local government until sufficient moneys are available from the 911
12 fund.

13 (e) *Information requests; audits.* A local government that receives grants for
14 a public safety answering point shall comply with all requests by the commission for
15 financial information related to the operation of the public safety answering point
16 and, upon request, provide a copy of any audits conducted of the public safety
17 answering point to the commission.

18 (f) *Telephone relay service for hearing impaired.* A local government that
19 receives a grant under par. (d) shall ensure the each public safety answering point
20 operated by or on behalf of the local government complies with requirements of the
21 federal communications commission that all 911 answering positions are equipped
22 with the necessary equipment for accepting 911 calls from the hearing impaired
23 directly or through the use of a relaying service.

24 (g) *Audits.* The commission may require a communications provider or local
25 government that receives a grant under par. (d) to conduct an audit to ensure that

1 the grant application and use of the moneys received is consistent with the
2 requirements of this subsection and may require a local government that receives a
3 grant under par. (d) to provide a copy of its annual audit of the public safety
4 answering point for which the grant is received.

5 (h) *Unauthorized expenditures.* The commission may, on its own motion, or, at
6 its discretion, upon the complaint of any person, give written notice of violation to
7 any communications provider or local government alleged to be expending grant
8 moneys for a purpose not authorized under this subsection. Upon receipt of the
9 notice, the communications provider or local government shall cease making any
10 unauthorized expenditure, and may petition the commission for a hearing on the
11 question of whether an expenditure is authorized. The commission shall grant a
12 request for a hearing within a reasonable period. If, after the hearing, the
13 commission determines that an expenditure is not authorized, the commission shall
14 require the communications provider or local government to refund, within 90 days
15 of the commission's determination, the unauthorized expenditure.

16 (i) *Proprietary information.* Any information submitted by a communications
17 provider to the commission or the 911 council that the communications provider
18 designates as proprietary, and that the commission determines is proprietary, is
19 confidential and not subject to inspection or copying under s. 19.35, except with the
20 express consent of the communications provider. General information collected by
21 the commission or the 911 council may be released or published only in aggregate
22 amounts that do not identify or allow identification of numbers of subscribers or
23 revenues attributable to an individual communications provider.

1 (j) *Statewide plan.* The commission shall develop a statewide plan for
2 enhanced 911 services for the state. The plan shall be consistent with the plan
3 required under 47 USC 942 (b) (3) (A) (iii).

4 (k) *Rules.* The commission shall promulgate rules for administering the
5 requirements of this subsection.

6 (L) *Reports.* No later than February 28 of each odd-numbered year, the
7 commission shall submit a report to the legislature under s. 13.172 (2) that has
8 complete information regarding receipts and expenditures under this subsection
9 during the 2-year reporting period and that describes the status of the 911 system
10 in this state at the time of the report and the results of any related investigations
11 completed by the commission during the 2-year reporting period.

12 (m) *911 council.* The commission shall consult with the 911 council in carrying
13 out the commission's duties under this subsection.

14 **SECTION 2572hr.** 256.35 (3m) (a) 2. of the statutes is renumbered 256.35 (1)
15 (cp).

16 **SECTION 2572hu.** 256.35 (3m) (a) 3. of the statutes is renumbered 256.35 (1)
17 (em).

18 **SECTION 2572hy.** 256.35 (3m) (a) 4. of the statutes is renumbered 256.35 (1)
19 (es).

20 **SECTION 2573.** 256.35 (3m) (em) of the statutes is created to read:

21 256.35 (3m) (em) *Fund limitation.* Except for grants under par. (d) or (e), the
22 commission may not make any distribution from the wireless 911 fund to any person.

23 **SECTION 2573b.** 256.35 (5) of the statutes is created to read:

1 256.35 (5) REQUIREMENT TO PROVIDE ENHANCED 911 SERVICE. In accordance with
2 the federal wireless orders, no communications provider is required to provide
3 enhanced wireless 911 service until all of the following conditions are satisfied:

4 (a) The communications provider receives a request for the service from the
5 administrator of a public safety answering point that is capable of receiving and
6 utilizing the data elements associated with the service.

7 (b) The funds for reimbursement of the communications provider's costs are
8 available.

9 (c) The relevant local exchange carrier is able to support the requirements of
10 enhanced 911 service.

11 **SECTION 2573f.** 256.35 (7) of the statutes is amended to read:

12 256.35 (7) LIABILITY EXEMPTION. A telecommunications utility, wireless
13 provider, as defined in sub. (3m) (a) 6., person that provides exchange telephone
14 service to a telephone subscriber, cellular services, voice over Internet protocol
15 services, or cable telephony services, person that provides services to a device that
16 can access 911, or local government, as defined in sub. (3m) (a) 4., shall not be liable
17 to any person who uses an emergency number system created under this section or
18 makes an emergency telephone call initially routed to a wireless public safety
19 answering point, as defined in sub. (3m) (a) 7.

20 **SECTION 2573h.** 256.35 (8) of the statutes is created to read:

21 256.35 (8) SUBSCRIBER RECORDS AND INFORMATION. (a) Subscriber records that
22 a communications provider discloses to a public safety answering point remain the
23 property of the communications provider and use of the records is limited to
24 providing emergency services in response to 911 calls. Any communications provider
25 connection information of a subscriber, including the subscriber's address, that is

1 obtained by a public safety answering point for public safety purposes is not subject
2 to inspection or copying under s. 19.35.

3 (b) The disclosure or use of information contained in the database of the
4 telephone network portion of a 911 system, for other than operations of the 911
5 system, is prohibited.

6 (c) No later than 2 business days after a communications provider installs
7 service for a new subscriber, the communications provider shall provide the relevant
8 public safety answering point with subscriber information necessary to update the
9 master street address guide or location database used by the public safety answering
10 point to respond to emergency calls and the public safety answering point shall make
11 the update.

12 **SECTION 2574h.** 281.14 of the statutes is created to read:

13 **281.14 Wisconsin River monitoring and study.** (1) In this section:

14 (a) "Nonpoint source" has the meaning given in s. 281.16 (1) (e).

15 (b) "Point source" has the meaning given in s. 283.01 (12).

16 (2) The department shall conduct a program to monitor and study the
17 introduction of nutrients from point sources and nonpoint sources into the Wisconsin
18 River from the city of Merrill to the Castle Rock Flowage dam. The department shall
19 seek to do all of the following under this subsection:

20 (a) Identify the amounts of nutrients being introduced into the river.

21 (b) Characterize and quantify the nutrients, in particular nitrogen and
22 phosphorus, introduced into the river from nonpoint sources relative to climate, land
23 use, soil type, elevation, and drainage.

24 (c) Collect water quality information for locations on the river itself and for
25 major tributaries and major impoundments to use in evaluating the biological,

1 physical, and chemical properties of the water and to use as data in watershed and
2 river models.

3 (d) Use watershed and river models and the information collected under this
4 subsection and from other sources to forecast the effect on water quality of different
5 methods of reducing the amounts of nutrients introduced into the river.

6 (e) Develop tools to use in selecting and implementing methods of reducing the
7 amounts of nutrients introduced into the river.

8 **SECTION 2575.** 281.16 (3) (e) of the statutes is amended to read:

9 281.16 (3) (e) An owner or operator of an agricultural facility or practice that
10 is in existence before October 14, 1997, may not be required by this state or a
11 municipality to comply with the performance standards, prohibitions, conservation
12 practices or technical standards under this subsection unless cost-sharing is
13 available, under s. 92.14 or 281.65 or from any other source, to the owner or operator.
14 For the purposes of this paragraph, sub. (4) and ss. 92.07 (2), ~~92.105 (1)~~, 92.15 (4) and
15 823.08 (3) (c) 2., the department of natural resources shall promulgate rules that
16 specify criteria for determining whether cost-sharing is available under s. 281.65
17 and the department of agriculture, trade and consumer protection shall promulgate
18 rules that specify criteria for determining whether cost-sharing is available under
19 s. 92.14 or from any other source. The rules may not allow a determination that
20 cost-sharing is available to meet local regulations under s. 92.07 (2), ~~92.105 (1)~~ or
21 92.15 that are consistent with or that exceed the performance standards,
22 prohibitions, conservation practices or technical standards under this subsection
23 unless the cost-sharing is at least 70% of the cost of compliance or is from 70% to 90%
24 of the cost of compliance in cases of economic hardship, as defined in the rules.

25 **SECTION 2576n.** 281.33 (3) (title) of the statutes is amended to read:

1 281.33 (3) (title) STANDARDS RELATED TO STORM WATER AND CERTAIN CONSTRUCTION
2 ACTIVITIES.

3 **SECTION 2576p.** 281.33 (3m) (title) of the statutes is created to read:

4 281.33 (3m) (title) EROSION CONTROL RELATED TO CONSTRUCTION OF PUBLIC
5 BUILDINGS AND BUILDINGS THAT ARE PLACES OF EMPLOYMENT.

6 **SECTION 2577.** 281.34 (3) of the statutes is renumbered 281.34 (3) (a).

7 **SECTION 2578.** 281.34 (3) (b) and (c) of the statutes are created to read:

8 281.34 (3) (b) The department may appoint any person who is not an employee
9 of the department as the department's agent to accept and process notifications and
10 collect the fees under par. (a).

11 (c) Any person, including the department, who accepts and processes a well
12 notification under par. (a) shall collect in addition to the fee under par. (a) a
13 processing fee of 50 cents. An agent appointed under par. (b) may retain the
14 processing fee to compensate the agent for the agent's services in accepting and
15 processing the notification.

16 **SECTION 2578pb.** 281.346 (1m) of the statutes is repealed.

17 **SECTION 2578pd.** 281.346 (2) (e) 1. of the statutes is repealed.

18 **SECTION 2578pf.** 281.346 (2) (e) 1g. of the statutes is created to read:

19 281.346 (2) (e) 1g. The baseline for a withdrawal that before December 8, 2008,
20 averaged 100,000 gallons per day or more in any 30-day period but to which subd.
21 1m. does not apply is the amount determined under sub. (4e).

22 **SECTION 2578ph.** 281.346 (2) (e) 1r. of the statutes is created to read:

23 281.346 (2) (e) 1r. The baseline for a withdrawal not covered by subd. 1. or 1g.
24 is zero.